Policing as a Virtue; Moral Alignment and Legitimacy

Mark. L. Manning

A thesis submitted for the degree of
Doctor of Philosophy

Department of Sociology
University of Essex

Date of submission for examination October 2019

Acknowledgements

It is now 5 years since I started my PhD journey and as I approach submission, I continue to reflect upon the many individuals who have inspired me, motivated me, guided me and aided me in this quest. There are so many people that it would be impossible to acknowledge them all here.

I have reflected upon countless conversations that took place in the canteen, the office, the pub and in the lecture theatres where I had an epiphany following something said. Unfortunately, on many occasions, I was not prudent enough to immediately record what had struck me so, and I regret this immensely. However, I sense a personal obligation and a moral duty to specifically mention the names of those who follow, and credit them with the role they played throughout my research and commenting upon the development of this thesis. I am also aware that I have *bent many ears* and if you read this thesis and you believe you are one of my victims, I thank you for your patience.

Professor Nigel South: I cannot be more thankful to Nigel for his thoughtful, caring and supportive supervision throughout this 5-year research period. As a highly experienced PhD Supervisor and academic, his knowledge has been evident throughout. Nigel has been calm and nurturing throughout my frequent periods of self-doubt, whilst skilfully guiding me to challenge my own

thoughts, doubts and to strive to achieve my best work.

Professor Emma Bond	Emma has patiently nurtured me through the final year. I have valued her considerable experience, knowledge, feedback and support throughout this period.
Dr Kevin Barker:	For inspiring me to take on this project. I know that his intellectual stimulation, challenges and guidance provided the drive for me to do so.
Associate Professor Stuart Agnew:	Stuart continues to be a faithful and supportive companion and friend and an inspiring academic. He has read and provided valuable feedback on many drafts of this thesis and he has done it selflessly and patiently. I truly value his companionship and his intellectual perspective.
Professor Simon Hallsworth	For his wisdom, enthusiasm and guidance until he moved on to a sunnier climate.
Associate Professor Cristian Dogaru:	I owe a debt of gratitude to Cristian for constantly reminding me that is good to challenge the establishment and schools of established thought. He has helped me to

'square many circles' by thinking in a different way. He is also a great colleague and friend.

Anna, Christian, Joseph and Shannah	To my family who supported and motivated me to achieve something that I should have done 40 years ago.

Contents

Abstract

'Policing as a Virtue; Moral alignment and Legitimacy'

This thesis presents the findings from narrative analysis of oral history interviews with 16 participants, retired and serving police officers, who joined the police service between 1965 and 2015. Informed by a theoretical and analytical framework of virtue ethics - formulated by MacIntyre (2012), the interviews sought to gain a greater understanding of the participants' perceptions concerning moral alignment, legitimacy and the practice of virtues in support of morally good policing. The narratives revealed how 11 of the 16 participants regarded their authority, power and legitimacy to derive from the rule of law, their oath of allegiance to the Queen and from the constitutional significance of the 'Office of Constable'. This perception was, to an extent, inconsistent with the wide body of literature concerning procedural justice and legitimacy. However, analysis also revealed a number of narrative insights from the participants' childhood and early years and the development of virtues which motivated, aided or frustrated them in their quest to deliver morally *good* policing. These included the influence of religion on heightening understanding of community; justice and injustice; discretion; and mixed outcomes from procedural justice encounters. The narratives also revealed how the advent of policing risk, coupled with policies which reduce discretion, have resulted in a remote understanding of policing communities and a confused understanding of policing by consent.

Chapter 1

1.0 Introduction

This thesis aims to offer a new contribution to the on-going debates concerning the legitimacy of policing and police practices through positive procedural justice interactions with the public. Specifically, I will contribute to 3 areas of knowledge: to develop elements of the debates which link procedural justice and ethics with police legitimacy; to develop knowledge and understanding of police officers' perception of self-legitimacy linked to the 'Office of Constable' and their oath of allegiance to 'The Crown' and to demonstrate an empirical application of a revision of virtue ethics, as formulated by MacIntyre (2012).

Narrative analysis of oral history interviews with 16 retired and serving police officers from the period between 1965 and 2015 will be used to explore their perceptions of police practices, sources of authority, the morality of their conduct and the virtues of good policing. These perspectives were evaluated in two timeframes: Time Period 1 (TP1) the period 1965 to 1989 and Time Period 2 (TP2), the period between 1990 and 2015[1].

The philosophical work of MacIntyre (2012) was used as both a theoretical and analytical framework to evaluate the participants' perceptions concerning the *good* which could/should flow from a normative relationship between the police service and the public - based upon shared norms and values and linked to the virtues of police practices. I argue that it is the development of a morally good

---

[1] The time period under research 1965 - 2015 covered 50 years of policing over 6 decades. In order to explore potential differences in police officers perceptions over time, the period under research was divided into two time frames. TP1 covered the first 24 years from 1965-1989 and TP2 the remaining 26 years from 1990-2015.

character through childhood socialisation, involvement in positive community activities, for example - scouts/guides or religion; a positive respect for authority and a strong desire for public service and doing good in the community, which may all motivate individuals to join the police service and practice morally good policing. Aspects of which are supported elsewhere by (Millie & Hirschler, 2018). For this reason, I wish to make clear that this is not another study of the widely researched police culture and the following extract from Bowling, Reiner, & Sheptycki (2019, p.166) explains why: " The culture of the police is … not a primary cause of police practice, for good, ill or both. Cultural perspectives are mutually interdependent with practice, and structural pressures shape them both". Through the lens of MacIntyre (2012), I argue that the participants are very aware of the importance of tradition and the role of narrative to the practice of policing and they are equally aware of current structural limitations. However, when developed, their morally good character drives them to overcome these limitations through the use of their discretion to deliver policing as a public good. Therefore, I propose that it is also important to understand the moral character who sits behind human agency, rather than solely concentrating upon the structure and culture which shapes their practice. For this reason, I argue that MacIntyre's (2012) formulation of virtue ethics provides both insight and explanatory powers concerning the character of those who practice morally good policing which deontoligcal and utilitarian formulations would be unable to do.

This research follows a plethora of empirical research studies since Tyler (2006) which have reinforced how important it should be for Criminal Justice (CJ) agencies, such as the police, to behave in such a way that they encourage the

public to develop normative relationships with them based upon trust, confidence and shared values and beliefs. It has been argued that in doing so, these normative relationships make it more likely than not that the public will develop internal moral obligations to obey the law and regard the police service as a legitimate force to exercise power and control over them (Tyler, 2006; Jackson, Bradford, Hough, Myhill, Quinton, & Tyler, 2012; Jackson, Bradford, Stanko, & Hohl, 2013). However, Bottoms and Tankebe (2012) have also argued that throughout the development of these research studies, too much attention has been paid to the audience perception of legitimacy and the relationship between the public and the police without offering the police perspective. This thesis addresses this omission.

From the perspective of the police service, an awareness of the importance of this relationship was exemplified in an address at the University of Cambridge by Sir Dennis O' Connor - a former Chief Inspector of Constabulary - to delegates at the 8th International Conference on Evidence Based Policing in 2015. He commenced his address by stating, "This is the era of legitimacy" (O' Connor, 2015). However, whilst the concept of legitimacy continued to be a point of reference over the two-day conference, there was no attempt to define it or explain its importance to policing *per se*[2]. Arguably, this general and unquestioning acceptance of meaning, or lack of clarity, could be problematic for the police service as it will become clear in chapters 4, 5 and 6 of this thesis that, in respect of policing, as for philosophers and social scientists, the concept

---

[2] For the sake of itself (Morwood, 2005)

of legitimacy is dialogic and can be understood in a myriad of ways (Bottoms & Tankebe, 2012).

Specifically, it will be argued that the findings of Tyler (2006); Jackson, Bradford, Hough, Myhill, Quinton, & Tyler (2012); Jackson, Bradford, Stanko, & Hohl (2013) and others, should have motivated the police service to behave in ways that maximised the benefits of social control arising from policing a community which is normatively aligned to them. This is so even though this literature does not specifically require them to do so. Ironically, however, many of the participants still placed much reliance on the rule of law to legitimise their use of traditional law enforcement practices. In this sense, the work of Dixon (1997; 2005) and Raz (2009) serves to assist them.The data also reveal how ironically, during TP2, the era in which the debates concerning legitimacy and procedural justice have gained most traction, the police service have adopted practices which prioritise resource management of risk and public protection over policing the community through relationship building. Arguably, these institutional, policy led practices, driven by austerity, shape the external requirements of public institutions whilst also providing the structural limitations which frustrate police practices and frame the debates which police cultural theorists seek to explain (Bowling, Reiner, & Sheptycki, 2019; Reiner, 2012). This is not to say that the participants were not aware of the importance of their relationship with the public and the requirement to pursue the public good through morally good practices, quite the contrary, they simply use a different language to define it. Morrell and Bradford (2019, p.24) are quite pragmatic when they suggest there will never be a time when the public good has been met, because the available resources of institutions will never be sufficient to

meet the aspirations of the public. This they refer to this as: 'The utopia problem'.

However, MacIntyre (2012) defines the relationship between institutions in a slightly different way. In essence, he argues that virtues are required to aid individuals in their quest to achieve the standards of excellence internal to practices such as policing. These virtues would include – empathy, honesty, integrity, justice and wisdom[3]. Many of which police recruits identfy with at the time of joining (Millie & Hirschler, 2018). MacIntyre (2012, p.194) defines institutions as providing the degree of order necessary for practices to flourish, whilst their orientation is towards extrinsic goods such as 'power and status'. In chapters 5 and 6, data are presented to highlight how the character of the participants drives their quest to deliver the public good whilst completely aware that institutional and structural limitations make it difficult to achieve. I argue that the difference is that the participants do not always succumb to the cultural influences that other literature would suggest (Bowling, Reiner, & Sheptycki, 2019; Reiner, 2012). Rather, the possession and exercise of the virtues of good policing motivates them to strive to deliver the public good.

This thesis presents qualitative, verbatim data in chapters 4, 5 and 6 which clearly demonstrate that many participants were very aware of the public good which morally good policing should/could deliver and of the many virtues required to deliver it. In chapter 4, data are used to explore the motivation for the participants to join the police service and how/when they developed their quest to deliver this public good through public service. However, the data also

---

[3] It is acknowledged that not all police officers will identify with these virtues in the same way or mean the same thing when discussing them.

highlight that despite this quest, and in addition to their allegiance to the rule of law, the participants also identify with another form of legitimacy which derives from their oath of allegiance to the Crown and their warrant of authority. This is their over-riding consideration. From the perspective of the police service, they perceive this to be a reasonable belief as the 'Office of Constable' as a 'Crown Servant' has been written into the DNA, practice and the tradition of policing since the Anglo-Saxon era (Melville, 1901). This further illustrates the dialogic nature of legitimacy which Bottoms and Tankebe (2012) alluded to.

Beetham (1991, p.22) also argues that one of the most persuasive arguments used to explain why citizens defer to power holders, such as the police, is when they identify with them as 'rational moral agents' who behave in such a way that, within the constraints of the social relationships between them, there is an acknowledgment of the need to develop practices which are mutually beneficial, thus appealing to their own moral sense. However, Beetham (1991) further explains that given differences in the relationship arising from an imbalance in power, there is a necessity to explore and understand the behaviour of those involved in the relationship. In answer to Beethams's proposal, the data presented in chapter 4 highlight this imbalance of power which arises because, if it is the perception of the participants that their source of authority derives from the rule of law and the Office of Constable, they have no need to defer to the public *per se* or to develop normative relationships with them in the sense that Beetham (1991) observes.

However, once again, and in support of Bottoms and Tankebe (2012), this perception also demonstrates why it was important to consider the nature of the normative relationship between the police service and the public in order to

establish how cognisant, if at all, police officers are of the importance of this relationship. This is not because procedural justice theory requires it, but because of the *good* that could flow from it. The data suggest that it is not important in the sense that it is framed in the procedural justice and legitimacy literature, but once again, the data presented in chapters 5 and 6 demonstrate how the participants' quest for public service, informed by the development of a morally good character, provides the motivation and the development of the requisite virtues to deliver morally good policing practices. This is done without them being cognisant of or acknowledging any of the literature concerning procedural justice and legitimacy.

Arguably, the College of Policing, formed in 2013, had also given some thought to these debates as one of their first publications was a new *Code of Ethics* that laid out the principles and standards of behaviour expected from police officers (College of Policing, 2014). Although, ironically, whilst the College of Policing (2014) are explicit in suggesting the principles that every police officer should uphold and the standards of behaviour they are expected to meet, little mention is made in the guidance to police officers of the moral underpinning of the conduct that these ethical principles and standards of behaviour, ought to produce. In the absence of specific guidance, the College of Policing (2014) seem to imply that moral conduct will naturally follow the publication of the Code. This may be considered as surprising as police work inevitably requires police officers to make regular use of their discretion to make moral judgements in their decision-making (Kleinig, 1999; Bittner,1990; Herbert, 1998; Willis and Mastrofski, 2016; Herbert, 1997; Blair, 2005; Muir, 1979). None the less, the verbatim data presented in chapters 5 and 6 suggest that for the most part, the

Code of Ethics has made little impact upon the participants serving since its inception.

It is significant that the College of Policing placed great emphasis upon the *'character'* of police officers to guide them in the decisions they make, in particular, as so much discretion is invested in them. This is because the Code of Ethics stipulates the importance of *Honesty; Integrity; Fairness; Respect; Courtesy; Equality and Diversity; Leadership; Objectivity; Selflessness and Openness* of police officers. All of these, I argue, are *virtues* of character with obvious links to virtue ethics, rather than any emphasis being placed upon the consequences of their actions or maximising the well-being of others in the sense that *deontological* or *utilitarian* theories of ethics would require (Hursthouse, 2010). It is also significant that during the latter development of my thesis, Morrell and Bradford (2019) published a text in which they have also sought to apply virtue ethics to police practices and Millie & Hirschler (2018) conducted research with new recruits to Lancashire Police aimed at exploring their attitudes and beliefs at the time of joining. However, whilst links to virtue ethics are not expressed explicitly by the College of Policing, I argue that MacIntyre's (2012) formulation of virtue ethics has much to commend it and this informed the decision to use his work as both the theoretical and analytical framework which underpins this thesis. I argue that the publication of the code falls short of providing an exemplary framework for police officers with appropriate guidance and training for them. Albeit, I accept that a contrary argument could be made that a Code of Ethics can be both normative and derived from practice without having a moral underpinning.

Kleinig (1999) argues that, to an extent, this may be so. He cites a tradition formed over some 100 years as a result of social factors which has led citizens to place their trust in institutions/organisations to whom they are extremely vulnerable and who find this trust is often betrayed. This has led many professional organisations to publish a code of ethics to reinforce the faith of citizens that the services they rely upon will be carried out in accordance with the code, and not exploit their vulnerability (Kleinig, 1999). This implies that the purpose of the code is no more than to characterise the standards of membership of their organisation and to increase faith in the provision of their services. This remedy is solely derived from their practice but lacks any moral underpinning *per se* (Kleinig, 1999). I argue that a code formulated in this way appears to have many similarities with the Police Code of Ethics which are silent on a moral underpinning and as such, they have little effect on police practice and this will be reinforced by the narratives presented in chapters 4 and 5.

One reason for the lack of impact of this code of ethics, highlighted by Westmarland and Rowe (2016) and Westmarland (2016), is that it is perfectly feasible for officers acting with considerable discretion and under the guidance of the Police Code of Ethics, to exhibit conduct such as 'noble cause corruption' whilst arguing that they were acting with 'honesty and integrity', thus defeating the sole purpose of the code. It may also be true in a more general sense that, without this explicit link to morality or without the development of virtues, officers (as state actors) could resort to their own internal sense of rightness, experience or cultural norms to justify their actions. This also seems counter intuitive to the formulation of the code as it can lead to moral relativity (Herbert,

1997). According to Muir (1979, pp. 3,4), in order to make sound decisions, a good police officer needs to "develop two virtues. Intellectually, he has to grasp the nature of human suffering and morally, he has to resolve the contradiction of achieving just ends with coersive means". The publication of a Code of Ethics has arguably, not helped here and to do so would require a much broader understanding of moral theory in addition to the virtue of empathy. This leads on to the second reason which supports the first, that recourse to moral theories and normative ethics by the authors of the Code of Ethics, could have informed them why its impact may be limited. And yet, any such material appears to be absent in the reading list and rapid evidence assessment - cited as supporting documents in the development of the code (College of Policing, 2014). For example, Aristotle [384-322 BC] recognised in his reasoning, whilst formulating the 'Nicomachean Ethics', that doing virtuous acts requires more than the performance of the act itself. For there to be an explicit link with moral conduct, the actor must first acquire virtue and then act from it (Aristotle, [c325 BC] (2009). This leads to the proposal that the publication of the code alone could not fully deliver upon its policy objectives and that data presented in chapters 4 and 5 explain why. However, this also opens up for exploration how, if at all, police officers could acquire *Phronesis* (intellectual/practical wisdom) to guide them, as cited by Aristotle (2009) and many others including MacIntyre (2012). Kleinig (1999) also suggests that there is an argument that a Code of Ethics should be more than platitudes, and must require conduct from their members which is exemplary for them - rather than conduct which is exemplary for all, even those not subjected to the code. Without such a requirement, what is the purpose of the code? (Kleinig, 1999).

My thesis reflects upon these considerations through the use of MacIntyre's (2012) conceptual framework of virtue ethics. As such, I argue that policing is a practice with a number of standards of excellence internal to it; these standards being the *virtues* of *good policing* and would include the virtues suggested in the Code of Ethics. I argue that these virtues with the addition of the virtues of *Courage, Justice and Wisdom*, based upon Aristotelian moral principles, reflect the excellence of *good policing* which every police officer should/ought to aspire to by virtue of his/her participation in the practice of policing (Aristotle, 2009; MacIntyre, 2012) and the data suggest this is so.

I argue that if police officers are virtuous in their conduct as well as demonstrating their technical skills and competence throughout their policing duties, they are exemplifying the very reasons why the public should grant them on-going consent to being policed and recognise their legitimacy.

This thesis, therefore, examines the extent to which the police service are cognisant of sharing norms and beliefs with the community they serve. Further, the extent to which they perceive it to be beneficial to pursue the expressed consent from them in the sense that the plethora of procedural justice and legitimacy research studies could have informed them to do (Beetham, 2013; Beetham, 1991; Bottoms & Tankebe, 2013; Bottoms & Tankebe, 2012; Bradford & Quinton, 2014; Fallon, 2005; Jackson, et al., 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Mazerolle, Bennett, David, Sargeant, & Manning, 2013; Millie & Hirschler, 2018; Morrell & Bradford, 2019; Tyler, 2006; Tyler, 2003; Weber, 2013).

This oral history of policing commenced at a time which many argue was the end of the golden era of policing[4] with rising crime, increased negative media attention, calls for greater accountability and allegations of corruption - leading to a decline in police legitimacy (Emsley, 2010; Reiner, 2012; Weinberger, 1995; Jackson, Bradford, Stanko, and Hohl, 2013; van Dijk, Hoogewoning, & Punch, 2015). Narrative analysis of the qualitative data gathered from the oral history interviews is used throughout the thesis to discuss the extent to which police officers are able to discern which virtues of police practices are most important to reinforce their legitimacy in the eyes of the public, and the moral underpinning of those virtues according to MacIntyre's conceptual framework. This approach allowed consideration of what police officers understand to be the shared norms and beliefs of policing a community and, of equal importance, how, if at all, they seek out the expressed consent of the public to being policed, as argued by Beetham (1991).

As so much attention has been directed towards this subject by the College of Policing, police leaders, practitioners and academics alike, I argue that this knowledge could re-focus attention towards areas of police selection, training and practice where weaknesses could be addressed. For example, police perceptions of stop and search practices and policing diverse communities.

---

[4] It is recognised that the term 'Golden Era' in policing is a popular myth generated at a time of social harmony and broad social consensus which occurred soon after World War 2 (Bowling, Reiner, & Sheptycki, 2019). This term is not used here as a social fact which reflects the true state of policing at this time.

1.1 Structure of the Thesis

This introduction has already laid out an account of the central issues to be addressed by this research with a brief summary of the literature and a justification for the use of the philosophical work of MacIntyre (2012) as both a theoretical and analytical framework.

In chapter 2, I will review the literature concerning the evolution of police practices and this will lead on to a more detailed evaluation of the debates concerning procedural justice and legitimacy. Two things will become clear, first of all the literature concerning the evolution of police practices provides grounds to support an alternative account for police power, authority and legitimacy arising from their oath of allegiance to the Queen and in the constitutional position of the Office of Constable. Secondly, the wide body of literature concerning procedural justice and legitimacy, convincing as it is, has derived solely from the perspective of the public. This is highlighted in an academic evaluation of the literature from Bottoms and Tankebe (2012). An argument supporting my research follows as a way of closing this gap in knowledge.

In chapter 3, I lay out the justification for the research methodology and qualitative oral history interviews arising from a formulation of virtue ethics, through the lens of MacIntyre (2012).

In chapters 4, 5 and 6, I present the findings of the empirical research using a framework proposed by MacIntyre (2012). These chapters deal with the participants perceptions concerning a background account of the practice of policing; an account of the development of moral character and the acquisition

of the virtues of good policing and finally, an account of the moral traditions in which the practice of policing has evolved.

In chapter 7, I summarise the findings and make some proposals concerning how my research can be developed.

Chapter 2

Literature Review

2.0: Introduction

It has become common practice with many practitioners, scholars and politicians when discussing the legitimacy of the police service in England and Wales to concentrate on the period since the introduction of the 'new police' in 1829 by Sir Robert Peele (Rowe, 2018). Contemporary examples used to legitimise 21st century *Anglo-American* policing practices include countless references to the 'Peelian Principles' by the police service and policymakers (Loader, 2016).

Appealing as this is, it is argued throughout this thesis by reference to MacIntyre (2012) that there is merit in further reflection upon the history, tradition and practice of policing from its *Anglo-Saxon* roots onward, as there are features within the narratives and the evolution of policing which are pertinent to police officers' perception of their own legitimacy, the source of their authority, their relationship with the communities they serve and the role of community within policing (Melville, 1901). Two of these features relate to the notion of 'policing by consent' and the constitutional position of the 'Office of Constable' as a 'Crown Servant' (Melville, 1901; Rowe, 2018). It is of course prudent to highlight that many of these early histories of policing present an orthodox account of policing[5] and, as Emsley (1991) cautions, often support

---

[5] it is worth noting that orthodox accounts concerning the history of policing are contested, especially through alternative revisionist accounts (Bowling, Reiner, & Sheptycki, 2019).

the dominant (orthodox) belief that the formation of the 'new police', and its eventual legitimation by the public, was a rational response to rising levels of crime and disorder for which an alternative response could not be found. However, as Loader (2016) argues, these orthodox accounts, together with questions concerning the provenance of the Peelian principles, have given rise to consideration of new ways to justify the legitimation of policing.

Morrell and Bradford (2019, p. xiii) argue: "The scale and scope of contemporary change in policing make existing perspectives and practices look at risk of being outdated, or even obselete". Their suggestion is to consider policing as a service which contributes to the '*public good'.* The timing of this claim is wholly supportive to this thesis. However, as already stated, MacIntyre (2012) suggests that it also important to consider the history of a practice and the role of an enduring narrative to understand the practice in a contemporary setting and further, to understand the development of the moral character of those who engage in that practice. This is because, MacIntyre (2012) argues that:

> a practice [in this case, policing] is never just a set of technical skills, even when directed towards some unified purpose and even if the exercise of those skills can on occasions be valued or enjoyed for their own sake. What is distinctive in a practice is in part the way in which conceptions of the relevant goods and ends in which the technical skills serve…are enriched by these extensions of human powers and by that regard for its own internal goods which are partially definitive of that practice. (p.193)

In essence, MacIntyre (2012) implies that the possession and exercise of relevant virtues are essential to extend the internal goods which are definitive of a practice, i.e. good policing. However, it will be argued that these virtues are

acquired throughout the development of a moral life and cannot be taught or developed solely by police training.

This literature review seeks to develop these claims.

2.1 The Tradition and Practice of Policing in England and Wales

In the introduction to his work on the history of policing in England, Melville (1901) highlights that:

> Our English police system…rests on foundations designed with the full approval of the people, we know not how many hundreds of years before the Norman Conquest, and has been slowly moulded by the careful hand of experience, developing as a rule along the line of least resistance. (p.xi)

Melville (1901) further argues that the role policing plays in promoting citizenship, good manners and social progress is as important as self-imposed moral and physical restraints on the welfare of the individual. Whilst this does not relate directly to legitimacy *per se*, it implies that the foundations of consent to policing practices, and the role of community within it, warrants more serious consideration.

According to Melville (1901, p.4) early accounts of the practice of policing relate to a system of social control known as 'Frankenpledge*' (or 'Frankpledge')* in which the Crown personally guaranteed the Kings Peace to his subjects in return for their allegiance. The Kings Peace was to be interpreted widely as, in the absence of substantial common or statute law, this would have included most transgressions and the term "contra pacem Domini[6]" denotes how a crime, when committed, was to be regarded as an offence against the whole

---

[6] Against the peace of the lord the king (The Law Dictionary, 2020)

community and not just the victim (Pike, 1985, p. 1), thus highlighting the centrality of the community to the practice of policing. To ensure compliance, locally administered 'tythings' and 'hundreds' *(10 and 100 households)* were instituted, bound together under a pledge to pursue and arrest anyone who breached the Kings Peace. If they failed to do so within one month, a fine would be exacted upon them by the court of the *Shire Reeve* (Chief Magistrate) which would equate to the damage or harm caused by the original breach. In addition, a '*Headborough'* was elected by the households within each tything who was sworn on oath to bring offenders to justice and to ensure the pledge was exacted accordingly (Melville, 1901; Pike, 1985; Rawlings, 2002). Arguably, the Headborough is the earliest symbol of a system of policing using parish constables, but equally important, emphasising that the responsibility for keeping the peace was within the community and the Headborough was chosen and elected by this community (Emsley, 1991; 2010; Melville, 1901; Pike, 1985; Rawlings, 2002; Reith, 1948). Theoretically, all men were police officers and the role of policing the community was conducted by all those who lived together in that community, to the extent that they were all answerable for each other's sins (Melville, 1901).

Subsequent to the Norman Conquest, there followed a point in time where the roles of newly appointed Justices of the Peace and Constables became enjoined to the extent that constables were directly answerable to, and often appointed by, the justices (Melville, 1901; Dixon, 1997; Pike, 1985). Arguably, the relationship between the justice and the constable as master and servant is woven into the fabric and histories of each other and it is of great importance that, when first appointed by the Crown around AD 1195, justices were first

and foremost, policemen, and a magistrate or judge was an ancillary function[7] (Melville, 1901). This process was again formalised in the *Justice of the Peace Act* 1361 (Pike, 1985). Their appointment, then, was to revise but not replace the role of Sheriff (Shire Reeve) who was until this point, responsible for enforcing the law in the shires or counties (Melville, 1901). This relationship continued with minor revisions until the introduction of the new police in 1829 and indeed, the first two commissioners - Rowan and Mayne were stipendiary magistrates (Emsley, 1991; Pike, 1985; Melville, 1901; Rawlings, 2002). This continuity emphasised the ancient tradition of policing as being localised, the relationship between the justice and constables was preserved, and in consequence, the new police were regarded as remote from democratic control (Pike, 1985). However, some conflicts in this relationship prior to 1829 had to be resolved along the way.

Pike (1985) argues that the independent status of the Office of Constable rooted in its historical origins of policing and with common law powers being original and not delegated, provided significant autonomy and a unique constitutional position. However, the long-standing relationship between the justice and the constable also had the potential to blur the independence of the Office of Constable as justices were crown servants appointed to maintain the Kings Peace, and this compromised the police claims to autonomy and local responsibility (Pike, 1985). In addition, the relationship of the constable

---

[7] In a contempary setting, Justices of the Peace (also known as Magistrates) and Police Constables perform distinctly different roles. Justices of the Peace are (legally unqualified) unpaid members of the public, appointed to administer judicial business in a magistrates' court in England and Wales. They receive legal guidance from the Clerk of the Court (Smartt, 2009). Constables are locally appointed citizens whose legal powers are invested in them at a ceremony known as their attestation. During this ceremony the newly appointed constable declares their allegiance to the Queen before a Justice of the Peace (Bryant & Bryant, 2018)

as a servant to the justice, potentially constrained their common law powers and also raised questions of the constables independence (Pike, 1985). It is, then, the oath of allegiance which came to reaffirm "his service to the Sovereign and his fidelity to the law", emphasising the constables impartial discharge of his duties "without favour or affection malice or ill-will" (Pike, 1985, p. 156). This independence was later upheld in a Royal Commission on Policing in 1962 and in the subsequent Police Act 1964 (Pike, 1985). Of significant interest here, the commission held that there is "no relationship of master and servant as between a police authority and a constable or as between the Crown and a constable" thus reinforcing the independent nature of the Office of Constable as not one of servant to Parliament (Pike, 1985, p. 156). This has significant potential to influence police officers perceptions of their own legitimacy, but it does not explain their relationship or moral obligations towards their communities.

What is important here, then, to the perceptions and understanding of police officers, is the extent to which this history, and the reality that constables still swear an oath of allegience to the Queen, impacts upon their self-perception of legitimacy. Particularly, as this oath of allegiance was retained in statute law as recently as the Police Reform Act 2002. These are crucial points which are explored throughout this thesis as this history reveals the root of policing as vested in the community and in the responsibility held by all, by mutual consent (Melville, 1901). This observation will become more relevant as the thesis develops. Some of this information or history is passed on by narratives and oral tradition, through generations of police officers as part of the folklore of their practice and is, as MacIntyre (2012) argues, part of the living tradition

they inherit. As such, it provides a practical account of police authority which may prove inconsistent with the main body of literature on police legitimacy and the beneficial exercise of procedural justice. It does not, however, provide a moral justification for police authority and an argument for this will follow.

An interesting point to consider here is that commentary on the Office of Constable is absent in the annually revised Blackstone's Handbook for Policing Students 2018, which is considered an important text for police recruits and those studying for promotion (Bryant & Bryant, 2018), although it is discussed in a pamphlet titled 'The Office of Constable: The bedrock of modern day British policing' published online (Police Federation of England and Wales, 2018). The Police Federation is the staff association for police officers from the rank of constable to chief inspector and therefore, whilst it cannot be stated with certainty, this publication is likely to have been widely distributed and read (Police Federation of England and Wales, 2018). Nonetheless, the document is written as an informative pamphlet and does not appear to have been produced as an authoritative commentary on police history or legitimacy and it is not cited as such.

In terms of a moral justification for police authority, Kleinig (1999) suggests this can be found in the work of Locke [1690] in his 'Two Treatises of Government'. Locke [1690] argues that 'man' is born in a 'state of nature' and being confronted with difficulties in relationships with others leads rational beings to relinquish some of their natural rights to a civil government with legislative, executive and federative functions. The purpose would be to make good any differences which exist between them and to protect life, liberty and property (Locke, [1690]; Kleinig, 1999). This voluntary ceding of natural rights

by citizens in the form of an agreed social contract bound to government can, arguably, provide a partial explanation for the granting of consent to executive functions and a positive obligation towards the rule of law. However, Kleinig (1999, p.18-19) also argues this explanation is insufficient and ignores the fact that this consent is hypothetical and not 'rational consent' and that social contract theories have largely annexed the importance of social rights and responsibilities. This opens up to question the nature of the relationship between authority, coercive power and government and importantly here, how their exercise may be legitimised.

In relation to authority, Kleinig (1999, p.18) argues there are three types: *de jure* which is positional and relates to someone being in authority; *de facto* as someone having authority and finally, *expert* as somone who is an authority. Incidently, these types of power are explained to police officers in Blackstone's (2018, p. 39) in which expert authority is described alternatively as *epistemic* and all of these types of authority are linked in that text to their moral authority - thus appealing to their perceptions of self-legitimacy.

However, Kleinig (1999, p.18) further argues that authority is essentially a *normative social relation* and this authority is dependant upon the recognition accorded to it by the audience. This demonstrates the importance for the police service to think carefully about the nature of their relationship with the public. Albeit, they may not be motivated to do so if it is their belief that their authority or legitimacy derives from their allegiance to the queen or the rule of law.

2.2: The Case for Procedural Justice in the search for Legitimacy in Policing

According to Mazerolle, Bennett, David, Sargeant and Manning (2013), the case for using procedural justice as a vehicle to reinforce the legitimacy of policing has been a matter of developing international interest. This is reinforced in a wide body of literature (Bottoms & Tankebe, 2012; Bottoms & Tankebe, 2013; Bradford, 2014; Bradford, Hohl, Jackson, & MacQueen, 2015; Bradford & Quinton, 2014; Donner, Maskaly, Fridell, & Jennings, 2015; Harkin, 2015; Haas, Van Craen, Skogan, & Fleitas, 2015; Herbert, 2006; Hough, Jackson, Bradford, Myhill, & Quinton, 2010; Jackson & Bradford, 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Mazerolle, Bennett, David, Sargeant, & Manning, 2013; Mazerolle, Bennett, Antrobus, & Eggins, 2012; Morrell & Bradford, 2019; Murphy & Tyler, 2017; Reisig, Tankebe, & Mesko, 2014; Papachristos, Meares, & Fagan, 2012; Rosenbaum & Lawrence, 2017; Sparks & Bottoms, 2008; Sun, Yuning, Van Craen, & Kuen-lung Hsu, 2018; Sunshine & Tyler, 2003; Tankebe, 2009; Tankeve & Asif, 2016; Tyler, 2003; Tyler, 2006; Tyler & Blader, 2003; Tyler & Wakslak, 2004; Van Craen & Skogan, 2017; Wolfe & Nix, 2017).

Procedural Justice theory is linked to understanding how the relationship between citizens and legal authorities, based upon trust and confidence, can motivate willing compliance with the law as a normative condition and enhance perceptions of power holder legitimacy. The dominant theme within the body of literature has concentrated upon how to explain this normative relationship from the perspective of the audience or the citizen, rather than how power holders such as the police understand it (Bottoms & Tankebe, 2012). However, the

concept of legitimacy in the context of the relationship between power holders and those subjected to their power is, in fact, a very complex subject. Whilst it would not influence the central tenets of procedural justice theory, power holders, such as the police, may argue that their legitimacy and their power derives from other authorities and does not require public recognition of it. Further, definitions of legitimacy vary in accordance with the approaches taken by many diverse academic disciplines (Tyler, 2006). And yet, since Tyler (2006), whilst references to legitimacy are becoming ubiquitous in police language, most attempts to define it or relate it to policing practices remain rooted in their understanding of the dominant theory of procedural justice as seen from the perspective of the public and this may lead to confusion.

For example, in 2014, Her Majesty's Chief Inspector of Constabulary -Tom Winsor, announced a rebranding of their annual thematic inspections of the police service in England and Wales, to be renamed PEEL inspections (Her Majesty's Chief Inspector of Constabulary, 2016). These new inspections, introduced against the backdrop of austerity and a need to demonstrate value for money, would focus on Police Effectiveness, Efficiency and Legitimacy. However, in the proposed methodology for the inspections, the measure of effectiveness in respect of legitimacy according to their understanding and formulation of it, is to what extent the force ensures the workforce acts with integrity and deals with corruption. The data are taken from the findings of various public surveys such as the Crime Survey of England and Wales, victim satisfaction surveys, surveys on domestic abuse and child abuse and crime data integrity (Her Majesty's Chief Inspector of Constabulary, 2014). Many of these measurements fall into the category of 'outcomes' rather than being

evaluative, which Brodeur (1998, p.219) argues are "poor indicators of the external impact of policing". Importantly, they also fail to take into account that the central tenets of procedural justice theory do not require these outcomes to be measured as it is the quality of the process which is important (Tyler, 2006).

Reiner (2012, p.93) has also commented on measurement of police performance and what a "notoriously slippery concept to define and measure" it actually is. Notwithstanding this fact, these PEEL inspections which commenced in 2015, clearly demonstrate what the police service perceive to be important to appeal to the audience perception of legitimacy. It could also be argued that by reason of renaming these inspections as PEEL inspections, highlights an acknowledgment that legitimacy is perceived as important. This is so because the reference to Peel is a symbolic link to what have become widely known as the 'Peelian Principles' highlighting the principal role of the police service to be the prevention of crime (Reith, 1948). According to Reith (1948) the preventative principle was formulated in the first instructions issued to officers of the Metropolitan Police (circa 1829) and intended to legitimize their presence. This principle soon evolved to become 9 principles that added, for example, "that the power of the police to fulfill their functions and duties is contingent upon public approval" (Reith, 1948, p. 64). However, it must be highlighted that despite the credibility attributed to them, there is no other evidence that these principles were, in fact, formulated by Sir Robert Peel or either of the first two police commissioners of the Metropolitan Police (Emsley, 2014). Nonetheless, Loader (2016, p. 429) argues that considerable weight is placed upon them as a way of self-legitimising *Anglo American* policing practices as they reify an old myth or cliche from police history.

However, as discussed, the measurements used in the PEEL inspections do not seem to demonstrate in a meaningful way, the role of the police service in reinforcing their own legitimacy through morally good practice or by actively seeking out expressed consent as Beetham (1991) would argue. Perhaps, in contrast, these inspections demonstrate how the legitimacy of policing, from their own perspective, has been reduced to yet another way of measuring police performance and efficiency in the style of '*New Public Management'*, which has received cultural resistance from the police service for the last 25 years (Ashby, Irving, and Longley, 2007). Therefore, without any clearly expressed links between legitimacy and the morality of police conduct, policing had been left without any moral underpinning for a number of years until Tyler (2006), whose work on procedural justice theory established a link between morality and the normative police/public relationship.

According to Tyler (2006), understanding procedural justice is best achieved by contrasting the 'instrumental' and 'normative' approaches to procedural justice utilised by criminal justice agencies such as the police - as well as considering how they are perceived by those subjected to the power. The instrumental perspective is an example of how criminal justice agencies use the deterrent effect of the law and their practices to shape the behaviour of the general public who choose to respond to a choice of penalties or incentives (punishment or not) to do so (Tyler, 2006). In these circumstances, a citizen would perceive a procedural justice outcome to be positive following a favourable outcome. For example, a speeding fine that was not as punitive as it could have been as a result of mitigation offered by the citizen. Historically, policymakers have tended to rely on the instrumental approach to justice as a

matter of primacy (Tyler, 2006). However, in contrast, the normative perspective is concerned with what the public view as conduct by the police that is moral, fair and just (Tyler, 2006). From a normative perspective, citizens are less concerned with self-interest or favourable outcomes. It is the honesty, neutrality and fairness of the encounter that motivates these citizens towards compliance with the law and to ascribe legitimacy to it (Tyler, 2006; Bradford, Hohl, Jackson, & MacQueen, 2015). In essence, they feel they ought to comply as they can relate to the morality of this conduct (Tyler, 2006). It naturally follows that the police service should do everything possible to foster a positive relationship between themselves and the public in which the public can identify with the exercise of these important virtues - honesty, neutrality, fairness and justice - to gain the citizen's expressed consent to being policed.

Indeed, Tyler (2006) argued from the findings of a study conducted in Chicago involving 1575 telephone surveys, that the key to legitimising the decisions of legal authorities and by inference, criminal justice agencies such as the police, is their capacity to promote citizen's compliance with the law as a normative condition involving some moral agreement between them and achieved through positive procedural justice interactions. Aristotle (2009) also argued that the sole purpose of passing laws is to promote good habits in people.

However, questions remain concerning the homogeneity of moral agreement across social groups and this may impact upon perceptions of what a positive procedural justice encounter looks or feels like (Jackson, Bradford, Stanko, & Hohl, 2013; Tankebe, 2009; Tyler, 2006). In the context of policing, it is argued throughout this thesis that understanding the root of both citizens' and police officers' moral values, places the police service in a position to shape their own

conduct towards a form of 'moral alignment' with those citizens whose consent is sought for policing to be regarded as legitimate. Kleinig (1999) argues that unlike the law which is governed by jurisdiction, morality is generally considered to be more universal. However, he further argues that it would be unwise to ignore how the geographical, historical and cultural context of a community can inform moral practices. This, in turn, is likely to inform the context in which police ethics are shaped (Kleinig, 1999). Arguably, this point should be axiomatic as officers are drawn from the communities in which they serve and are, according to the original principles of policing, citizens in uniform who should reflect the core moral habits and opinions of their communities (Reith, 1948). Albeit, as Reiner (2012) observed, there is a plethora of literature proposing that when individuals join the police service, they adopt the culture of this service, which may not be consistent with the core moral values of the community. Whether procedural justice is the correct vehicle to evaluate this issue is developed throughout this thesis and, as already stated, this research sought to establish if police officers are able to discern this moral alignment within the scope of their policing practices. However, this is a contentious issue and has been the subject of considerable debate across many academic disciplines including philosophers, legal scholars, criminologists, sociologists, and psychologists, including Tyler (2006).

Reiner (2012, p.69) for example, argued that "if there was a universal consensus about norms, values and appropriate modes of social behaviour

there would be no need for a police force"[8]. Reiner (2012) makes this point specifically in reference to questioning the legitimacy in policing and how social class alone can impact considerably upon the audience perception of police legitimacy - relative to their own experience of the police. This demonstrates why the multi-disciplinary nature of this subject is also an important matter to consider when evaluating how moral alignment is argued to occur between the police service and the public, and within the wider concept of justice, which is also a complex subject, but central to this thesis.

According to Edyvane (2008) and Hampshire (2000) justice is born out of conflict and is a necessary feature of human existence and any attempt to find a general agreement or moral consensus within the principles of justice is a waste of time. This is because as Hampshire (2001, p. 46) argues, "everyone uses the balancing of pros and cons in his own mind in pursuit of his own conception of the good, as well as in common prudence in pursuit of his own interests". However, Hampshire (2000) distinguishes between justice and fairness in matters of substance from justice and fairness *in matters of procedure* (procedural justice). In accordance with Tyler (2006), he suggests fairness in procedure is fundamental and is an acknowledged value in most cultures. Edyvane (2008) and Hampshire (2000) both agree that for procedural justice to be effective is contingent upon *audi alteram partem* meaning the views of all parties being heard as this legitimises the fairness of the proceedings by ensuring that no side in any dispute gains an unfair advantage.

---

[8] Arguably, a counter argument could be made that the police service is just important as, whilst norms and values may be the same, that does not mean that everyone behaves according to those norms and values.

This suggests that in support of Tyler (2006) regardless of their class, political orientation, race, creed or moral values, citizens can identify that they have been treated fairly and allowed an opportunity to state their case - thus raising their perception of the legitimacy of legal authorities, such as the police, as they value being treated with respect and dignity. The empirical findings from Tyler's (2006) research supported this proposition, which is beneficial to legislators who are interested in any strategy that promotes self-regulation of citizens rather than using incentives or deterrence measures. However, in common with much of the procedural justice literature, this finding is presented from a citizens' perspective and this is mirrored in many other empirical studies which have sought to explore what citizens perceive to be 'moral' and 'just'; how they perceive the morality of the law and how this shapes their conduct (Bradford, 2014; Jackson, Bradford, Hough, Myhill, Quinton, & Tyler, 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Mazerolle, Bennett, David, Sargeant, & Manning, 2013; Tyler, 2006; Papachristos, Meares, & Fagan, 2012).

Jackson, Bradford, Stanko and Hohl (2013) analysed a representative sample of data drawn from the London Metropolitan Police Public Attitude Survey involving 40,000 respondents from 5,000 neighbourhoods. In summary, their study found that fair and respectful treatment and decision-making is key to establishing a positive relationship with the public and fostering legitimacy. This legitimacy rests upon a notion of a common moral purpose or a moral alignment between the police and the public (ibid, 2013, p.213). Whilst their research continued to develop the theme of an audience perception of legitimacy, the findings of their research together with research by Tyler (2006), Jackson, Bradford, Hough, Myhill, Quinton and Tyler (2012), and Bradford and Quinton

(2014), all accord that a form of 'moral alignment' supported by police conduct which treats citizens with fairness, respect and dignity - fosters a normative condition towards obeying laws and police instructions regardless of whether they agree with them on every occasion. Thus, obviating the need for criminal justice agencies to resort to the more common instrumental approaches involving the use of deterrent measures to gain compliance.

Research by Papachristos, Meares, & Fagan (2012), in common with Hampshire (2001) and Reiner (2012), suggests that social capital and social environments are very influential to decisions about law abiding behaviour and this raises a number of other important considerations. For example, the nature of the theoretical framework from which the term 'moral alignment' is derived and to whom it may be applied? Is moral alignment between the police/public possible across all social groups simultaneously? Further, is the police service a morally homogenous group? Rawls (1999) also cautions that it is difficult to define a benchmark on which to evaluate procedural justice other than to say its outcome has to be within a reasonable range of what citizens judge to be acceptable. Arguably, however, the exercise of fairness in procedural justice has a potentially greater impact on reinforcing the legitimacy of power holders than any beneficial outcomes for citizens arising from the substantive justice system. For this reason, Tyler's findings offered new insight to how citizens identify with the legitimacy of power holders - but there are other perspectives which influence the citizen-power holder relationship.

As already stated, Bottoms and Tankebe (2012) argue that insufficient attention has been paid to the position of power holders in this debate.Tyler (2006) also clearly stated that he had not dealt with the philosophical or legal

perspectives from which other scholars may argue the law ought to be obeyed as a normative condition. For example, Weber (2013) identified a distinction between philosophical normative perspectives of legitimacy which concentrate on why people *ought* to obey the law. Instead, Tyler (2006) concentrated on a social science perspective asking why *do* people obey the law. This is a central point to this thesis. Firstly, it was the intention of this research to examine the police perspective of this normative condition in more detail and secondly, a philosophical approach from MacIntyre (2012) was applied to the virtues of police practices to evaluate the scope of such a normative condition in the form of moral alignment between the police and the public - based upon the virtues of good policing. This is because it is now generally accepted that the police service recognise a need to operate within an ethical framework, even if they do not explicitly state its relationship to moral concepts (Neyroud & Beckley, 2004).

2.3: Beyond Procedural Justice in search of Legitimacy in Policing

According to Beetham (2013, p.10) "legitimate power is power that is rightful, because it meets certain normative criteria about how those in power have obtained their power and how they exercise it". He further suggests legitimacy matters because of the impact it has on individual's attitudes and behaviour. However, due to variance in the way legitimacy is claimed by power holders, it is likely there will be corresponding differences in the attitudes and behaviour of those subjected to the power (Beetham, 1991). As an added complication, academics from diverse subject disciplines use different criteria to evaluate claims of legitimacy (Beetham, 1991).

To highlight the importance of the pursuit of legitimate power in policing, Herbert (2006, p.481) argues: "The dilemma of legitimacy plagues no state institution more doggedly than the police". He frames this statement in the context that the police service are the most visible reminder of the exercise of coercive state power over its citizens. In fact, Hobbes [1651] (1996) first suggested that the exercise of coercive state power is a necessary condition of a state institution in order to protect its citizens who would otherwise be in a 'state of war' with each other, and subjected to considerable risk (Hobbes [1651], 1996). Notwithstanding this fact, the police are viewed by many with varying degrees of suspicion and this threatens their legitimacy. This is especially true for those citizens who perceive that state power is directed disproportionately towards them (Herbert, 2006). For example, the ongoing debates concerning the disproportionate use of 'stop and search' practices directed towards ethnic minority communities in England and Wales (Her Majesty's Inspectorate of Constabulary, 2015). More recently, Mr Boris Johnson, in his first speech as Prime Minister, has promised to recruit 20,000 more police officers (Parliament, 2019). This pledge which has the appearance of populist rhetoric has attracted considerable support from Mr Johnson's supporters (Guiney, 2019) as well as police staff associations (Police Federation of England and Wales, 2019). However, this pledge also coincides with a period in time in which relationships between the police service and the government has been strained and also, at a time when there has been an increase in violent crime on the streets of England and Wales, which many claim is due to the cuts to police numbers in response to austerity measures (Home Affairs Committee on Serious Youth Violence, 2019).

There is, then, a hugely powerful incentive for the police service as societies' prefects, and in full support of the ethos of policing by consent, to closely observe issues concerning their own legitimacy in order to maximise opportunities to gain voluntary compliance from the public. This point is made clear in a review of literature concerning 'Neighbourhood Policing' in England and Wales (Longstaff, Willer, Chapman, Czarnomski, & Graham, 2015). The report suggests that neighbourhood policing involving face to face contact with officers is crucial to sustaining trust and confidence in the police service through which it acquires its legitimacy, and fosters ongoing consent to being policed (Longstaff, Willer, Chapman, Czarnomski, & Graham, 2015). The Neighbourhood Policing report seems to support the notion argued by Tyler (2006) that treating citizens with fairness, respect and dignity reinforces police legitimacy. Albeit, it can be argued that consideration should also be given concerning the extent to which trust and confidence in the police service can be fostered more broadly than through procedural justice interactions.

This is because the functions of the police service within its social relationships with the public extend far more widely than reinforcing the law. As such, trust and confidence in the police service may precede any contact with them and is likely to be a feature of socialisation. An example of which can be found in cultural artifacts such as a Ladybird Book titled – *'People at work' The PoliceMan* (Southgate & Havenhand, 1962). This children's publication is an example of how children of this era were encouraged to regard the Policeman in a positive light as being a guardian and protector and to be seen in every village and town - preventing crime and looking out for suspicious people. This, and similar publications are likely to have engendered positive views of the

police service in an abstract sense. It is accepted that a negative encounter with a police officer could reverse this perspective, but it also raises a point that individuals may develop a moral perspective and trust in policing practices from an early age. This includes impacting upon, and possibly motivating, those individuals who choose to join the police service in later life for reasons of public service and to contribute to the public good (Charman, 2017).

Beetham (1991) argues one of the most powerful reasons why citizens may defer to power holders is when they identify with them as 'moral agents'. However, Fallon (2005) argues that legitimacy as a moral concept is only one of three concepts, the other two being legal or sociological. Relating these concepts to the Constitution of the United States of America (USA), Fallon (2005) argues that legitimacy as a sociological concept is more valid than legitimacy as an ongoing legal debate. In respect of legitimacy as a moral concept, he argues the moral position of the constitution is *minimal* rather than *ideal*. By this, Fallon (2005) suggests the constitution is not morally perfect and its legitimacy has been subject to challenge. To avoid conflict would require the application of a perfectly just regime (Fallon, 2005).

It can be argued that Fallon's argument carries equal weight in respect of the legitimacy of the police service. As a criminal justice agency its legal position is enshrined in statute law in England and Wales. However, by applying Fallon's (2005) argument, there is an ongoing need to identify a moral argument to support the legitimacy of the police service, distinguished from the other two concepts (legal and sociological versions of legitimacy) , as its authority is always open to question.This further reinforces a need for the police service to recognise this fact and do everything necessary to gain and sustain

consent. As an example, Fallon (2005) argues that when the US Constitution is challenged on legal grounds, it often involves suggestions that individuals (often politicians) have erred morally in their conduct. The same can be said about allegations against police officers for corruption in England and Wales by the commission of criminal offences and misconduct in a public office, and how, on each occasion, the legitimacy of the police service is brought into question (Kleinig, 1999; Caless, 2008).

This demonstrates power holders moral duty to strive to achieve a just and proportionate regime and as argued by Rawls (1999), this should fall within the range of behaviour acceptable to citizens in the absence of a defined benchmark. Fallon (2005, p.1793) also argues that the US Constitution is a "living charter" with an evolving meaning. Arguably, the same can be said of the practice of policing and its relationship with its citizens in an ever changing social environment. The outcome of accepting this perspective is to accept that the legitimacy of the police service is, as argued by Fallon (2005, p. 1793), founded on "shifting sands". This suggests that for the practice of policing to be deemed morally legimate, there is a requirement for its governance, policies and procedures to reflect the necessary moral standards that others, including all police officers, *ought* to aspire to. However, Weber (2013) takes a different view towards legitimate authority which he regards as a form of domination.

Weber (2013, p.215) suggests there are three types of legitimate authority, the validity of which may be based upon: "Rational" grounds for believing the authority is founded on legal rules and those who aspire to authority do so under the authority of those rules; "Traditional" *grounds* based upon an ongoing belief in a tradition that those who aspire to authority do so as part of that

tradition; and finally,"Charismatic" grounds upon which citizens defer to those individuals in whom they identify special qualities such as, exemplary character, heroism and a belief in the normative patterns of social order espoused by the power holder. However, in their critique of Weber, Bottoms and Tankebe (2012) argue that each of these forms of legitimate authority are most relevant when seen from the position of those subjected to the authority, and not the power holders themselves. Weber (2013) also suggests that with regards to the actors who form part of any legitimate order or authority, there must be something more to this authority than justifying the validity of their actions to themselves. He cites as an example, a civil servant who attends his duties every day for a proscribed period of time, not out of custom or self interest, but because it would offend his sense of duty to do otherwise. The notion of a sense of duty is developed later in this thesis as it is important when considering why individuals choose to join the police service and further, to consider the basis for legitimate authority from their perspective. For this reason, Bottoms and Tankebe (2012) have argued that future explorations of police legitimacy should consider policing not just in a criminal justice context, but in a wider political sense in which the police service in common with most political institutions claim to be legitimate by cultivating its audience as part of a continuing relationship. There is some sense that this may be so, for example, by the police service in England and Wales acknowledging the need to develop a *Code of Ethics* and a *National Decision Model* which causes them to reflect upon the validity of their actions, if not the morality of their actions *per se*.

Weber (2013) further argues that the conduct of actors in any legitimate order should be directed towards determinable maxims or rules of conduct which in

some way are perceived by the actor to be obligatory or exemplary for him. Applying Weber's analysis of legitimacy, it is argued here in the context of policing, that the maxim of policing should be achieving the standards of excellence of good policing for the benefit of the community in which they serve, in order that the community can identify with these standards as the virtues of 'good policing' and ascribe legitimacy to it. Weber (2013) argues that from a citizen perspective the most common form of legitimacy derives from a belief in the legality of authority and this can be considered in relation to the work of Raz (2009).

The final justification for claims to police legitimacy detailed here derives from Raz (2009) and his work on authority and legal positivism. It arises from further consideration of the types of authority cited earlier by reference to Kleinig (1999) - de facto, de jure and epistemic authority. Raz (2009) argues that formulations of *de facto* authority usually fail to identify the source of authority which would allow any explanation of how the authority was gained, and the circumstances in which the audience are likely to accept it (Raz, 2009). He regards formulations for *de jure* authority more favourably as the claims to authority are clear and this includes how authority is to be justified as distinct from can it be justifed (Raz, 2009). However, he further argues that if claims to authority are a way of justifying action, there are potential problems with arguments used to justify this authority and how these justifications may not naturally flow from the arguments used to invoke them. He suggests that for claims to authority to be legitimate or effective, they must define what is gained from this authority and what action can flow from it (Raz, 2009). In the context of this thesis, this is an important consideration in order to understand the

participants' perceptions of their authority and the actions which they perceive will legitimately flow from it without any further requirement to consult those likely to be affected by their actions. Here, Raz (2009, p.10) is clear that authority is a practical concept and practical authority includes "who has authority over whom" as this influences what one ought to do. This is wider than considerations about the expectation of power-holders to be obeyed or whether the expectation is formulated in established rules as is argued by Beetham (1991).

Raz (2009, p.11) cites Lucas (1966, p.16) commending his definition of authority as the best available explanation of authority as an ability to perform an action "A man, or a body of men, has authority if it follows from his saying Let X happen, that X ought to happen". This authority is, according to Raz (2009, p.12) applicable to all forms of practical authority and it also has a bearing on the normative situation in so far that, if the authority says "let X happen, it is a reason for X to happen". Albeit, Raz (2009) highlights that Lucas does not make clear in his definition that the authority he conceived, is or is not, an authority over others to act. For this reason, it is further argued that a distinction should be made between authority over persons (this being the source of normative power) and authority to perform certain actions (Raz, 2009). As such, power-holders can make "power utterances" which have the effect of "using power to tell a person to do or not to do"; "by granting a person permission to do"; "by conferring power on a person to do" or having " the authority to do" (Raz, 2009, pp. 18-20).

In this sense, the participants' interviewed for this research may have no quarrel with Raz (2009) in so far as they may believe that they have authority

to act, and that authority is conferred upon them by a legitimate authority - their

allegiance to the crown, the rule of law and the independent Office of Constable.

They may also be assisted by Raz (2009) who argues that:

> the question of the legitimacy of authority takes the form that it was
> always assumed to take: an examination of the grounds that justify
> in certain circumstances regarding some utterances [of authority]
> of certain persons……there is no shortcut that will make such an
> inquiry redundant by showing that the concept of legitimate
> authority is incompatible with our notion of rationality or morality.
> (p.27)

It is argued here, that this formulation of authority from Raz (2009) may appeal

strongly to some members of the police service in the absence of a more

developed normative moral argument - allowing them to justify their authority to

themselves and to their audience. However, a proposal for such a moral

argument will now follow.

2.4 The Search for an Ethical and Moral underpinning for Police Legitimacy

Neyroud and Beckley (2004) have highlighted the importance for police officers

and managers to make the right decisions for the right reasons. In doing so,

they acknowledge the need for an appropriate ethical system with clear links to

both individual and organisational moral values. More recently, this point was

made clear in a report from the College of Policing (2015) concerning the role

of leadership in promoting ethical police behaviour although the report did

highlight some differences of opinion concerning how leadership can impact

upon individual moral values (College of Policing, 2015). These insights are

important because ethics form the theoretical underpinning for the principles of

moral behaviour (Honderich, 2005). For example, in the 2014 published 'Code

of Ethics' implemented for the police service of England and Wales, the stated intention is to make clear the ethical principles that are expected to guide the conduct of police officers and what will happen if these expectations are not met. The report cites 9 principles: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity and Selflessness which should be considered by police officers to underpin every decision and action they take and further, should become embedded in the way police officers think and behave (College of Policing, 2014). Yet, ironically, little mention is made in the guidance to police officers of the morality of these principles, as previously suggested by Neyroud and Beckley (2004).

It is possible that the motivation and reasons for the Code of Ethics to be developed may have influenced the direction it has taken. A speech delivered by then Home Secretary, Theresa May, to the College of Policing in 2013, made explicit links to a wider programme of professionalization of the police service in England and Wales. This included the evolution of a professional body – The College of Policing - which would set out the ethical standards for the police service to uphold (Home Office, 2013). The Home Secretary likened the proposed Code of Ethics to the Hippocratic Oath in the medical profession - whilst expressing her astonishment that no such code already existed (Home Office, 2013). Arguably, the Home Secretary made an important point which is worthy of reflection as Reith (1948, p.68) suggested only 71 years ago, that "the moral influence of the country policeman on the community is not less than that of the parson, the doctor, or the teacher, and this can be said with equal truth of all policemen elsewhere". However, times change and this is why the oral history interviews gathered for this thesis covered 50 years of policing, over

6 decades, with a view to exploring what impact time has had on the moral perspective of those who commenced police service between 1965 and 2015 - some of whom are still serving.

This moral component is important as the Code of Ethics is also used to promote a new 'National Decision Model' to guide police officers to be more questioning in the situations they confront for assessing threats and developing working strategies that include consideration of their powers and policies. However, once again, the model is directed at standards of behaviour. At no time are officers asked to consider the morality of their actions with the exception of chief officers, who are charged to show moral courage for the decisions they make. The report clearly states how ethical behaviour is derived from the values, beliefs, attitudes and knowledge that guide their judgements, and the importance of public support (College of Policing, 2014). However, the report also implies that this support will naturally follow the conduct without any consideration of the values and beliefs of those citizens whose support, and more importantly, whose consent is required to legitimise police conduct (College of Policing, 2014). This is despite the findings from a plethora of empirical studies on procedural justice such as Jackson, Bradford, Hough, Myhill, Quinton and Tyler (2012); Jackson, Bradford, Stanko and Hohl (2013) and Papachristos, Meares and Fagan (2012) that could have informed the construction of this code.

Therefore, if the Code of Ethics is not underpinned by a proper understanding of the fundamental principles which guide moral conduct in policing and in their concomitant relationship with communities, and the code is not given proper status, it is unlikely to succeed in its objective(s). Loader (2016, p. 428-9)

places great emphasis on the social effects of policing and how ordering police

practices "can and ought to help build democratic virtues and culture, underpin

and extend civic engagement and the associated life of communities and be a

vehicle for generating social trust*". However, in a *Report by the Home Affairs

Committee on the College of Policing: three years on* (2016), the committee

are critical that the police service in England and Wales has failed to embed

the Code of Ethics into their practices despite a number of scandals in policing

in which they cite, for example, *Hillsborough.* In this event, 96 people died from

injuries sustained whilst present at an FA Cup football match in Sheffield in

1989. Subsequent investigations and inquiries have explored whether the

police match commander failed in his duty of care when he ordered that gates

should be opended to relieve overcrowding outside the ground. However, this

action exacerbated overcrowding inside the ground and led to the deaths. It is

the subsequent allegations of police malpractice which are referred *to in the

Home Affairs report.* They also cite problems associated with undercover

policing practices (Home Affairs Committee, 2016). The report echoes the

assertion by Theresa May, that the status of the Code of Ethics should be the

equivalent of the *Hippocratc Oath,* but in addition, the report suggests that all

police officers should sign a copy which should be recorded and held by the

College of Policing (Home Affairs Committee, 2016).

The same report highlights a number of other deficiences and inconsistencies

in recruitment and training of police officers which could go some way to explain

the issues associated with embedding the Code of Ethics into the fabric of

policing. As such, it is argued that these issues are all connected and further,

simply publishing a Code of Ethics is insufficient to cause officers to properly

understand the importance of the morality of their conduct, through substantive or procedural justice encounters, or to think more seriously about their legitimacy.

For the reasons stated above, it is argued here that there are fundamental reasons why more teaching and reflection upon morality and ethical conduct in policing should be required. This is also highlighted in a report by Her Majesty's Inspectorate of Constabulary (HMIC) (2015) concerning the police use of 'stop and search' powers. The report questions whether these powers are being used effectively and fairly. Critically, the report suggests that failure to utilise these intrusive powers appropriately has the capacity to damage the legitimacy of the police service (Her Majesty's Inspectorate of Constabulary, 2015). This example is important to this thesis as stop and search encounters are an example of procedural justice and also highlight the importance of ethical conduct. This is because, arguably, stop and search encounters invoke legal, practical and ethical considerations. Legally, can the search be justified by law and policy? Practically, what technical skills are required to conduct the search in accordance with the law? Finally, ethically to reflect upon the question 'should I/ought I conduct this search, and to what end?' and this is the normative requirement. This is important: as already cited on (p.23) of this thesis by reference to MacIntyre (2012), a practice involves more than technical skills. It is the goods which are internal to a practice towards which the virtues should be directed. I argue that in the practice of policing, this includes the essential virtues of wisdom, justice, fairness and integrity utilised to deliver the public good. However, it appears from the findings of the HMIC (2015) report that the police service has still not understood sufficiently, how the failings of

stop and search practices, and on occasions the morality of these practices are a significant issue that is damaging police/public relations. Failure to recognise the importance of these procedural justice practices in the context of police/public relations is one of the issues highlighted by Bottoms and Tankebe (2012) in wider debates concerning legitimacy. They argue that it is assumed the public, and indeed the police, will all identify with the same values and beliefs and share them equally, and yet, the example of stop and search practices suggests this is not so. It can be argued that by identifying with a Code of Ethics, demonstrates that the police service acknowledges the importance of ethical conduct but the findings of Tyler (2006) and those who have followed him, have not addressed the police perception of moral conduct *per se.*

For example, in his original research, Tyler (2006) concentrated on citizen's decisions concerning obedience/disobedience of the law to identify the normative conditions in which citizens choose to comply with laws based upon their belief that the law is aligned to their own sense of morality. He then focused on how citizens engage with organisations they perceive to be legitimate, and how this legitimised relationship is persuasive enough for citizens to develop internalised obligations that they ought to obey all laws, regardless of whether they agree with them. Whilst Tyler specifically argues that citizens do not need to be morally aligned with a law if such compliance is based upon a recognition of legitimacy, I still assert that for the reasons stated previously concerning stop and search practices, a more detailed understanding of moral alignment and legitimacy would bring great benefits to the police service in a wider context as perceptions of law-breaking behaviour

and enforcement are only part of their relationship. However, it is also important to highlight how elements of this debate concerning what may be termed *legal moralism* is the root of arguments amongst legal scholars and ask whether it is the purpose of the legislature to pass laws which control moral conduct or whether, as a form of social control, it is morally permissible to pass laws which criminalise acts which are not morally offensive to all (Brooks, 2012). Examples of such moral dilemmas include crimes categorised as *mala in se* such as murder, which most citizens would consider to be morally wrong regardless of the law (Brooks, 2012). However, in contrast, crimes categorised as *mala prohibita* are public wrongs which it may be necessary to enforce to maintain social order but are not necessarily considered immoral by all citizens (Brooks, 2012). Examples include minor road traffic offences and the recreational use of controlled drugs (Brooks, 2012). The subject of legal moralism is extremely complex and widely debated in the field of law. However, the purpose of considering it here is because it highlights potential problems with any attempt to explain the concept of moral alignment in the police/public relationship.

This is because many individuals who, for example, choose to engage in the misuse of controlled drugs may not view themselves as morally aligned to the authorities who are charged to enforce the laws that restrict this behaviour - such as the police. This is particularly so, when for example, the police routinely use stop and search practices to reinforce these laws with all the problems that may arise. Significantly, Bauman (2000) suggests in the context of *Liquid Modernity* that these activities are an expression of the exercise of consumer freedom which informs what it is to have an identity, not to be part of a wider homogenous group constrained by fixed values and beliefs. This perspective

places the police/public relationship in an invidious position as conceptually, moral alignment has been defined by Jackson *et al* (2013, p.13) as "a sense of shared moral values and group solidarity with the police. Based on a sense of shared moral purpose assessments that the police are pursuing and defending right and proper values". Defining the nature of these shared moral purpose assessments becomes crucial as it has already been highlighted how difficult this may become across diverse social groups. It may also present difficulties if the police service, as supported by (Dixon, 1997; 2005) and Raz (2009), perceive the source of their authority to be more fixed and deriving from the rule of law rather than being normative in a moral sense. An example of this was previously given (p.33) concerning stop and search encounters. To be specific, if the police officer(s) perceive that they can justify the *legality* of their actions and they have the authority and technical skills to do so, what would motivate them to ask the *moral* question?

Devlin (1958) suggested in his argument supporting the moral function of the law that morals derive from many religions and further, moral traits are characterised differently around the world. He argues the law must have a function in prohibiting conduct which offends public morality (Devlin, 2009). It follows that the police service will, on occasions, suffer difficulties in enforcing laws which some members of the public do not morally align with. Within the existing procedural justice framework and literature, there is a dearth of knowledge concerning the police perception of reinforcing these laws and this thesis has sought to address this.

In opposition to Devlin (2009), Duff (2014) argues that it should be a matter of political deliberation to decide which public wrongs the criminal law should

pursue. Once again, it is likely to be police officers through the exercise of their discretion who decide which laws to pursue and arguably this requires a considerable degree of moral judgement as well as technical skills, knowledge of the law and its practice. In essence, what Duff refers to is already operationalised by the 'evidential' and 'public interest' tests used by the Crown Prosecution Service to determine whether a matter should be prosecuted, diverted or be discontinued (Crown Prosecution Service, 2015). Albeit, the police service also play an important part in these decisions, particularly in respect of diversion (Crown Prosecution Service, 2015). However, it also appears that Duff (2014) in general support of Tyler (2006) conceives of a type of public wrong which most members of the community can agree upon and thus supports the possibility of moral alignment in the police/public relationship, and in the relationship between citizens and the state. This is because Duff (2014) appears to place very strong emphasis on the function of civic duty to which the police service and the public can contribute equally.

According to Thornburn (2011) however, it is wrong to suggest the responsibilty for criminal justice rests with communities with whom citizens share moral values but who have no legitimate authority to punish them for their wrongs in the sense that the criminal justice system can. Whilst it seems this statement has ignored the growing use of restorative justice as a form of community punishment which is operationalised by the police and is also sanctioned by the state. Thornburn (2011) argues the scope of the law should be narrow in respect of providing moral guidance and instead, function to preserve the conditions of freedom for all its citizens. For this reason, whilst acknowledging the importance of legal moralism to legal scholars, arguably this also

demonstrates how complex the relationship between morality and the law can be and does not at this juncture offer a definition that is capable of explaining a generalised form of moral alignment between power holders and citizens within the concept of procedural justice or police/public relations.

Bottoms and Tankebe (2012) highlight a similar problem in their critique of procedural justice, legitimacy, and the dynamics of the relationship between power holders and citizens in which procedural justice is said to occur. They claim, in the same way that Devlin (2009) argued, that any notion of shared values presents considerable difficulties, in particular, in societies which are fluid in their citizenship through globalisation. This is particularly valid in the United Kingdom due to the influx of migrant workers in recent decades from Europe and the rest of the world (Bottoms & Tankebe, 2012). This highlights another potential problem as it is highly unlikely that in any part of the UK, the police are capable of fulfilling the obligations of moral alignment through procedural justice practices to all its diverse citizens and continue to justify the generalised claims of its contribution and effectiveness and this may impact upon perceptions of police legitimacy.

2.5 MacIntyre and a Virtue Ethics Approach to Police Legitimacy

Notwithstanding the impact and contribution of the wide body of literature on procedural justice, there is a strong argument in support of the need for a theoretically sound framework concerning moral alignment and legitimacy, any interpretation of which is capable of transcending academic disciplines and cultural norms. Ironically, and accepting this fact, the approach which follows is to examine debates concerning the nature of morality within the discipline of philosophy, and having identified a philosophical framework, to apply and

evaluate it empirically. However, this immediately raises a number of further difficulties arising from contestable philosophical approaches and their application.

MacIntyre (2012, p. 9) argues that in the discipline of philosophy "it is only possible to understand the dominant moral culture of advanced modernity adequately from a standpoint external to that culture"[9]. He frames this statement in the context that since the 'European Enlightenment', rival philosophers have offered many forms of moral concepts that in practice, present as unresolvable disagreements. Difficulties then arise in the interpretation of these moral concepts by using the normative and evaluative modes of argument for each concept against each other (ibid, p.9). To enforce this point, MacIntyre (2012) cites the inconsistent and contestable approaches of Utilitarian, Kantian and Social Contractarian philosophers, each used to explain moral disagreements throughout modernity to late modernity, and the reason why he claims that enlightenment philosophy was a failed project. To reinforce this point further, MacIntyre (2012) invites consideration of a new world emerging from an imagined natural disaster in which all prior knowledge has been destroyed, including all knowledge of the natural sciences and philosophy. In this new world all meaning of life and morality would need to be redefined, and this, he suggests, is the state of philosophy in contemporary

---

[9] It is recognised that this statement is, in itself, open to philosophical debate. However, MacIntyre develops his own thesis with a detailed critical analysis of rival philosophical theories and returns to defend his own revision of Aristotolean virtue ethics. The central tenets of which are developed throughout this thesis with clear links to the practice of policing, through which I assert the importance of understanding the development of the virtues internal to the practice of 'good policing'. As such, this thesis explores the development of the character of good police officers which rival theories would not explore. Matters of reflexivity concerning my position as a researcher (and a retired police officer) are also detailed later in this chapter.

society. Rawls (1999, p.118) suggests a similar approach in his 'Theory of Justice', which he conceives as viewing the requirements of justice through the lens of "a veil of ignorance" as though the moral dilemma is being viewed for the first time. This allows a new consideration of how the moral dilemma should be resolved.

For this reason, MacIntyre (2012) argues in support of applying a formulation of Aristotelian virtue ethics emanating from ancient Greek philosophers. In this context, he suggests "a virtue is an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods" (MacIntyre, 2012, p. 191). However, to acquire the kind of virtues necessary to achieve the goods internal to the practice of policing, officers would require, as Aristotle [c325 BC] (2009) suggests, considerable practice by *ethos* or habit. Essentially, it would require the development of a moral character. In the field of virtue ethics, the development of moral character represents the 'whole being' of a virtuous agent and is not arrived at by accident (Bowman & West, 2018). It is further argued that "developing strong moral fibre is a continuous process of self discovery requiring commitment to ethical values and the cultivation of virtuous habits*" (Bowman & West, 2018, p. 118)*. Franz (1998) further suggests that a virtuous character is about how one lives - it is about the quality of a person.

It is argued here that a distinction should be made between understanding the teaching and development of legal knowledge and technical skills required by police officers involved in police work in a practical sense, from developing the necessary virtues required to achieve the goods internal to the practice of

morally good policing. This would require, at least, considerable guidance by practitioners who themselves had acquired *phronesis* (intellectual/practical wisdom). This is an important consideration as Aristotle argued: " Neither by nature, then, nor contrary to nature do the virtues arise in us, rather we are adapted by nature to receive them, and are made perfect by habit" (Aristotle, (2009), p. 24)*.

How, then, is this moral character developed? The narratives arising from the oral history interviews gained for this research revealed characteristics and the acquisition of the requisite virtues required for morally good policing. These virtues were already acquired through moral development prior to joining the police service in the sense that Aristotle [c325 BC]; Bowman & West (2018); Franz (1998) and MacIntyre (2012) have argued. Houston and Cartwright (2007, p.88) suggest this is not surprising and refer to it as a calling for public service. A body of literature supports this assertion and arises from prior involvement in pro-social and religious practices and how this involvement impacts upon pro-social moral attitudes and behaviours or motivates individuals towards public service (Conti, 2006; Houston & Cartwright, 2007; McFadyen & Prideaux, 2014; Molina, 2015; Norberg, 2011; Walker, Smither, & DeBode, 2012; Stravrova & Siegers, 2014).

As a cautionary note, Sen (2010) cites a long and difficult history of using philosophical reasoning to resolve tension in forms of justice and injustice.This has led to many of the contestable and incoherent approaches mentioned earlier and is a source of considerable debate by Devlin (2009); Hampshire (1983); Sen (2010); Rawls (1999, 2003); and Young (2011). Sen (2010, p.2) makes another important point regarding 'plural grounding', the use of general

justifications supporting a point without agreement on their individual merits. This is extremely important when considering the validity and empirical grounding of the term 'moral alignment', which various empirical studies have used to corroborate each others findings.

In this thesis, using the work of MacIntyre (2012), it is argued that it is possible to utilise a philosophically derived conceptual framework of virtue ethics to evaluate the empirical data gathered and to consider: whether police officers are able to discern which aspects of police practices are most important to reinforce their legitimacy in the eyes of the public and render citizens more likely to grant their consent to being policed; to what extent the police are cognisant of a moral alignment between themselves and the public, and if so, to further consider how the virtues of police practices contribute to moral alignment through procedural justice. A more developed argument supporting the use of MacIntyre (2012) will appear in the next chapter in defence of the methodology.

The oral history interviews with 16 police officers, retired and serving over a 60-year period between 1965 and 2015, were undertaken between 2016-17 and are used here to evaluate the changing relationship between the police and the public from a time when many argue that the relationship between the police and the public was very strong, through periods involving many moral conflicts and on to the current era (Reiner, 2012; Emsley, 2010; Weinberger, 1995; Thompson, 2009).

Research Questions

The following research questions were formulated in order to explore matters concerning the legitimacy of policing which remained unanswered within the literature and to develop further, other matters raised which were not fully explored. Specifically, I relate to the under researched area of police officers' perception of their own legitimacy and further, whether they are able to recognise the virtues of their practice in the sense that MacIntyre (2012) conceives it. These questions also take into account the use of MacIntyre's (2012) work as both a theoretical and analytical framework. Specifically, the research sought to explore whether, in the context of policing by consent:

1) Do police officers perceive that moral alignment with the public is important to reinforce their legitimacy?

2) Which aspects of police conduct do officers perceive are most important to reinforce their legitimacy in the eyes of the public?

3) Which aspects of police practices do officers perceive are most important to reinforce their legitimacy in the eyes of the public?

4) Do police officers perceive themselves to be virtuous and align themselves to sentiments of public morality to reinforce their legitimacy?

5) Do police officers identify with public morality as a driver to shape police conduct to reinforce their legitimacy?

Chapter 3

Methodology

3.1 Introduction

The primary aim of this research was to explore how police officers perceive the legitimacy of the police service in England and Wales; whether the virtues of their practice are understood as ethical and moral; and further, whether these virtues support their legitimacy. These research aims arose from the alignment of theory, policy and practice linking procedural justice and legitimacy with notions of public morality (Tyler, 2006; Jackson, Bradford, Hough, Myhill, Quinton, and Tyler, 2012; Jackson, Bradford, Stanko, & Hohl, 2013; College of Policing, 2014; Beetham, 1991). As already stated, Bottoms and Tankebe (2012; 2013) had already identified a dearth in knowledge by clearly suggesting that too much attention had been paid to the *audience* perception of legitimacy rather than the perspective of the police service.

This opened a line of enquiry in which the perspective of police officers could be researched through the lens of MacIntyre (2012) with an exploratory, qualitative examination of narratives, gained from oral history interviews and used to reveal the perceived ethics and virtues of morally good policing. In general support of this approach, Moore & Grandy (2017, p.148) suggest that there is a wide body of literature in which MacIntyre's theoretical and conceptual framework has been explored within settings and practices as wide reaching as "healthcare, teaching, banking, oil, investment, and churches".

It was anticipated from the outset that not all of the participants, if any, would articulate their perceptions in the language used by the theorists or policy

makers cited throughout this thesis. This is because, as Fairclough (2015) puts it, discourse in language is a form of social practice from which it is possible to discern relationships between the processes of production and interpretation and the social conditions of production and interpretation.The social context of discourse, then, becomes very important to discern meaning. To highlight this point, Fairclough (2015, p.54) describes language as "a dialect with an army and a navy" but emphasises that armies and navies are features of a 'nation state' and, as such, the nation state are able to control discourse. To illustrate this discourse of production in the context of this thesis, I relate to a speech referred to earlier in this thesis (p.49) addressed to the College of Policing by then Home Secretary, Theresa May MP (2013), who stated "We need a police force that has clear ethical standards, and aspires to, and achieves, the highest levels of integrity" (Home Office, 2013). This statement was framed in the broader context of a Home Office policy to introduce reforms to the police service. The speech implied that these reforms would be regarded positively by police officers and the public alike (Home Office, 2013). This, as it transpires, may not have been interpreted as such by many of the police offcers still serving.The discourse of production may also be discerned in the language of the subsequent policy and supporting documents - cited by the College of Policing (2014) when introducing the Code of Ethics to the police service in England and Wales.

For this reason, it was intended that analysis of the narratives arising from qualitative oral history interviews with the 16 participants would be used to reflect upon the contemporary, philosophical, theoretical and empirical debates concerning procedural justice and police legitimacy and to offer a new and fresh

perspective, interpreted in the language and context of the participants themselves (Archer, 2003, 2012; Alverson & Skoldberg, 2009; May & Perry, 2011). This thesis also sought to outline a case for the research to be based upon the philosophical and theoretical framework of virtue ethics from the work of MacIntyre (2012) - supported by a plethora of existing empirical research (Bradford, 2014; Bradford & Quinton, 2014; Bradford, Hohl, Jackson, & MacQueen, 2015; Fagan,2012; Jackson, Bradford, Stanko, & Hohl, 2013) Papachristos, Meares, and Fagan; Jackson, Bradford, Hough, Myhill, Quinton, 2012 and Tyler; Tyler, 2006).

As a reflective researcher, I was completely open to the notion that the participants may be silent on the theoretical and policy debates, but that they may articulate alternative narratives which would reveal their perceptions of their authority and legitimacy and what they perceived to be the essence of the virtues of good policing as understood by them during their time in service. Further, I was also interested in their grasp of the conceptual tradition of policing over 150 years, and an account of what they perceived to constitute the moral tradition of policing throughout its evolution (MacIntyre, 2012).

I argue this is exactly why Bottoms and Tankebe (2012) suggested that future research concerning the legitimacy of policing should focus upon the perceptions of power-holders in the debates concerning their legitimacy. Bottoms and Tankebe (2012) are also explicit in their argument that ontologically, legitimacy is not an 'independent phenomenon' or 'ontological entity' that exists independently of 'the day-to-day' flow of relationships between power-holders and their audiences. They argue that it is important to understand legitimacy as an ongoing dialogue between power-holders and

their audience in which power-holders make claims concerning their legitimacy and these are responded to by their audience (Bottoms and Tankebe, 2013).

However, before laying out the justification of the methodology in this chapter, there is another dimension which I consider should be clearly stated from the outset as Barbour (2014) argues, it is my responsibility as the researcher to make my position clear. It is my personal experience gained throughout a 32-year police career which was a powerful driver to conduct this research, but it also provided realism and an awareness that police officers seldom perceive the reality of policing in the same context as policy-makers. Throughout this career, I was confronted with a multitude of moral dilemmas concerning the nature of police practices involving the public, and on an individual and organizational level within policing. I acknowledge that this auto-ethnographic dimension is possibly contentious, however, in any critique that follows concerning the methodology, I realise that questions could reasonably be asked concerning my own value position.

It could be argued that, drawing on Ritchie, Lewis, McNaughten-Nicholls and Ormston (2013, p.21), ontologically, my own perceptions and the perceptions of all police officers are an example of 'realism' in which "reality is seen as something that exists independently of those who observe it, but it is only accessible through the perceptions of (these) individuals...and it will yield different types of understandings". However, having already cited the position of Bottoms and Tankebe (2012) concerning legitimacy as an ongoing dialogue, realism is not a position being taken here. I do not make any claims concerning objectivity or any links with causal laws (Barbour, 2014). I do argue, however, that my own reflexivity, and that of the participants, can be exercised powerfully

to bring life and meaning to their rich and detailed oral accounts and also to provide them with a voice which may otherwise remain unheard and unspoken in their own language in the context of policing (Archer, 2012; Alverson & Skoldberg, 2009; Cockcroft, 2005;Clandinin & Connelly, 2000; MacIntyre, 2012; May & Perry, 2011;Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013; Macauley & Rowe, 2019; van Hulst, 2013; Waddington, 1999; Riessman, 2008).

According to Riessman (1993, p.1), narrative analysis of personal experience, such as these oral accounts, extended the 'interpretative turn' in social science methodology at a time when it was believed that some assumptions from the social sciences were limiting a better understanding of the social world. The argument being that *"nature and the world do not tell stories, individuals do"* (Riessman, 1993, p. 2; MacIntyre, 2012). According to Reissmen (1993) the use of narratives was proposed as a new organising principle for these stories. In the context of policing, Macauley and Rowe (2019, p.13) have also recently highlighted the role that narratives play as a "co-creative device for value creation and ongoing sense-making" (See also: Presser, 2016; Sandberg, 2010; Van Hulst, 2020).

I argue that narrative analysis of oral history interviews which detail the personal experiences of 16 police officers, gained over a period of 6 decades of policing can be used to provide a fresh dimension to existing knowledge, and also to open up new areas of enquiry (Thompson, 2009; Fairclough, 2013; Fairclough, 2015). Specifically, this oral history can be gained from historical accounts of these retired and serving police officers who enjoyed experiences of policing, similar in nature to my own. Indeed, advocates of oral history

methods point towards the advantage of being able to directly seek out participants identified as being able to provide valuable and insightful contributions to an historical subject (Thompson, 2009; Cockcroft, 2005).

The importance of an historical context to this research was also laid out earlier by reference to MacIntyre (2012, p.187) who suggests that it is it is only possible to discern the nature of contemporary society by reflecting on the past. MacIntyre (2012) argues this history has informed the nature of what is known today about moral concepts. As the morality of police practices is central to this research, it is suggested that the oral historical accounts of police officers (retired and serving), allows a detailed examination of the practice of policing and in particular, the virtues of police practices. In doing so, the oral accounts will give life to the social world of policing, their experiences, thoughts and beliefs and of the virtues necessary to practice morally good policing. In support of this approach, it should be made clear that oral historical accounts in policing have been conducted previously, most notably by Weinberger (1995) and Brogden (1991).

3.2 Exploring MacIntye and Policing as a Virtue and 'Method'

It is a matter of contemporary debate whether there should be more emphasis placed upon the morality and virtues of police practices. Examples already highlighted include the efforts made by the College of Policing to introduce a Code of Ethics (College of Policing, 2014). However, as argued earlier, the Code of Ethics fell short of providing an exemplary moral framework for policing. Ironically, the importance of developing such an ethical framework with guiding principles on moral conduct within policing is exemplified in the considerable empirical research on procedural justice. This literature has suggested that a

strong moral link can be made between police practices and public perceptions

of police legitimacy (Jackson, Bradford, Hough, Myhill, Quinton, & Tyler (2012);

Jackson, Bradford, Stanko, & Hohl (2013); Mazerolle, Bennett, David, Sargeant,

& Manning (2013); Papachristos, Meares, & Fagan (2012) and Tyler (2006)

However, whilst there are many philosophical approaches which could have

informed a moral framework for policing, I argue that an empirical application

of MacIntyre's (2012) formulation of virtue ethics is the most capable to

determine and evaluate the virtues of 'Good Policing' from the development of

a moral character. This informed the use of oral history interviews and the use

of narrative analysis.

Firstly, then, to consider the justification of applying MacIntyre's approach to

this research. MacIntyre (2012) argues that Aristotle was representative of a

tradition of philosophers who believed that it is only possible to discern the

nature of contemporary society by reflecting on what made it so, the past. And

so, this tradition suggests that history has informed what is known today about

moral arguments and in particular, the virtues. MacIntyre (2012,p.123,147) also

suggests that Aristotle's account of the virtues constitutes "the classical

tradition of moral thought" which draws no distinction in social life between

morality and social bonds. In this respect, MacIntyre (2012) draws some

parallells with sociologists such as Goffman (1972) who have also sought to

explain human conduct and the way individuals interact with each other and

within their environment. However, he suggests that Goffman's work, in

common with other sociologists, is lacking the objective standards necessary

to explain this behaviour, and for this reason, their representations of moral

standards serve only as a means of sustaining the validity of their own work in

the field of sociology (MacIntyre, 2012, p. 115). MacIntyre's (2012) critique of Goffman (1972) is useful, however, insofar that it mirrors some of what Edyvane (2008) and Hampshire, (2001) have said about the usefulness of searching for a common form of moral alignment, which by inference is a critique of Tyler (2006) and others in respect of moral concepts.

MacIntyre (2012) suggests the application of a virtue always requires an understanding of a prior account of what are deemed to be the characteristics of moral and social life. He argues that for Aristotle, the exercise of a virtue is secondary to what each man should seek for himself - a good life, which should inform his *telos* or the ultimate goal which guides his actions (MacIntyre, 2012). From this, I argue that it is the virtues internal to the practice of good policing which guide police officers and citizens towards the telos of a good life in which it is possible to determine or agree upon the common goals of 'good policing'. Indeed, Loader (2016) argues that the police represent far more than being agents of crime control and order maintenance; their practices are symbolic of the kind of community they are policing by the way in which they police that community.

Further, as cited earlier in this thesis (p.23), MacIntyre (2012, p.193) argues that *"a practice [in this case, policing] is never just a set of technical skills, even when directed towards some unified purpose".* To understand the concept of a virtue, MacIntyre (2012, p.187) suggests it is necessary to follow a framework comprised of three parts; "a background account of a practice; a narrative account of a human life and an account of what constitues the moral tradition in which the practice is applied, each part of which informs the next stage*".* These three parts informed the theoretical and evaluative framework for this

thesis and will be developed throughtout this and the following chapters. Further, MacIntyre, 2012) defines a practice as:

> any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realised in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved are systematically extended. (p. 187)

As examples, MacIntyre (2012) suggests, bricklaying is not a practice, architecture is, planting seeds is not a practice, farming is. Applying MacIntyre's (2012) approach to this research and specifically, his definition of a practice (see above), I argue that day-to-day police work (utilising technical skills and legal knowledge) is not a practice in a MacIntyrian sense. However, morally 'Good Policing' is a practice through which police officers may strive to achieve the standards of excellence internal to it. These standards being the virtues of good policing and would include many of the standards and core principles cited in the College of Policing 'Code of Ethics'. By following MacIntyre's (2012) theoretical framework it will be possible to explore whether the participants considered that achieving these standards of excellence played any part in their reasoning in competing to excel for the good of the community with interests in the practice of policing. I argue that by defining policing as a practice with a number of standards of excellence internal to it is the start of formulating a theoretical - moral – framework, in which it is possible to explore within the narratives, whether the participants could agree upon the virtues of 'good policing' as part of an ongoing dialogue in support of their legitimacy in the sense that Bottoms and Tankebe (2012) conceive it. This would include consideration of MacIntyre's (2012) suggestion that in any practice, those who

participate will relate to it in different ways and their perception of the norms, values, purposes and standards expected from policing and the relationship of each individual to it. I anticipated that the oral history narratives would reveal the participants perception of these norms and values and how they informed their practice.

MacIntyre (2012) argues that every practice has a history which explains its evolution and current form and, as stated earlier, he also suggests the application of a virtue always requires an understanding of a prior account of what are deemed to be the characteristics of moral and social life. I argue here that to explain the evolution of policing and a prior account of its relationship to the community in a moral and social context, it is necessary to examine the history of conflict and the power dynamics in which the police service define their relationship to the state and over its citizens, and how these citizens relate to them. This I consider to be important as Bottoms and Tankebe (2012, p,66) suggest it would be a "serious ontological mistake" to assume that using normative orders of legitimacy alone are a suitable criteria for assessing a set of political arrangements, such as policing. This is because it would have the effect of removing the legitimising claim/response character arising from ongoing dialogue (Bottoms and Tankebe,2013,p.66). I argue that the use of MacIntyre's methodology allowed consideration of the participants perceptions concerning the development of an ongoing dialogue with their communities to allow consultation and agreement upon the virtues of morally good policing in support of their legitimacy. However, independent of such dialogue, it was equally possible that as Herbert (1997) suggests, it is in the spatial context of policing the streets where social action between the police and the communiy

takes place and in which, police officers construct their own notions and strategies of social order. This could also shape police officers self perceptions of legitimacy. It would be an important finding if, as Herbert (1997) suggests, the narratives revealed the participants perceptions of alternative normative orders concerning how they should or ought to act, based upon legal regulation and beauracratic control and exercising moral supremacy as good over evil. This would not be wholly compatible with the concept of legitmacy as derived from an ongoing dialogue.

3.3 Exploring Virtue and Legitimacy as Ontology and Epistemology

In the context of social science research there is nothing new in the suggestion that the realities of policing, as perceived by police officers with diverse world-views and experiences of life, are discursive and would have been informed by multiple streams of knowledge. Riessman (1993, p.2) and MacIntyre (2012) also argue that locating these narratives of personal experience is not difficult as they are ubiquitous in daily life. According to Reiner (2012) a large proportion of research into policing practices has focussed upon policy matters, whilst more general assumptions have been made concerning the notion of police work *per se,* and this has led to a dearth in research/knowledge concerning the perceived role of police officers and their proper functions. Bowling, Reiner, & Sheptycki (2019) and Reiner (2012) have already alluded to the fact that, whilst policing research is only 50 years old, a paradigm change in this research arena is necessary to explore the evolution of policing practices linked to risk, security and governance. Arguably, research on procedural justice and legitimacy is too, still in its formative years. Reiner (2012, p.6) also argued that police officers are called to a *"miscellany of tasks"* which vary according to the

era of policing under consideration, and the evolving nature of the relationship of the police with the state. It naturally follows that there will be, as I have also suggested, diverse views on the perceived role and functions of police officers and the virtues necessary to deliver 'Good Policing' and how this may contribute to their legitimacy. This leads to debates concerning ontology and epistemology and the value of the qualitative data gathered during the oral history interviews for this research.

It is of interest that in a commentary on theories of policing and the analytic dimensions of such research; Reiner (2012, p.16) set out a set of general questions, a formulation of which should inform most policing research and analysis. These include: what is policing?; who is involved?;– and what do they actually do? More interesting however, is that the focus of these questions appears to be explanatory and more easily answered by taking a 'helicopter' or external view, rather than exploring the perception of officers themselves who might shed some light on the subject from the perspective of the police. As previously suggested, Bottoms and Tankebe (2012) made similar observations concerning the debates on the legitimacy of policing and their observation was the catalyst for this thesis. I argue that this can be seen as a general reflection of commentary on social science research in policing.This is because much of the research (ethnography aside) tends to begin from a position external to the subject. Whilst access may have been a problem, the outcome is that it has the potential to inhibit a greater qualitative understanding from those involved in the practice of policing. This perceived weakness informed the oral history approach taken throughout this thesis and is supported in principle by MacIntyre (2012).

Further, in his critique of the *Generalizations in Social Science* and their *Lack of Predictive Power,* MacIntyre (2012, p.88) also argues that "the aim of the social sciences is to explain specifically social phenomena by supplying law-like generalisations which do not differ in their logical form from those applicable to natural phenomena in general". This, he goes on to suggest, the social sciences fail to achieve. He cites examples of economists who have failed to predict accurately rates of economic growth or failure, and the lack of systematic records being held by social scientists for such predictions. However, MacIntyre (2012) then cites four interesting generalisations from social science research (which do not need to be advanced here), each of which share three common features. Each generalisation coexists within a body of evidence for which there are counter examples to the main point which do not affect the acceptance or the original position; each of the generalisations lack universal quantifiers; and each generalisation lacks a set of systematic rules to operationalise them other than observation.

Thus, according to MacIntyre (2012) they seem to defy the conventional logic of science. However, MacIntyre (2012) then advances an argument that the problem is not in the lack of predictability or a failure in the quest for universal laws, but a flaw in the quest to mirror enlightenment philosophy for logical structure. That a lack of universal laws does not detract, diminish or mark a failure in social science - more so, it advances it as science. This argument from MacIntyre (2012) opens up to reason that in terms of knowledge production, there is no need to always follow a strict set of systematic rules in which knowledge can only be found in generalisations derived from strict adherence to universal laws and predictions. Hence it is not argued that the

data gathered from interviewing police officers, or any analysis of the narratives arising from them, will follow universal laws or that any insight gained from them is, in any way, generalisable to a wider population. Here, I argue that, through MacIntyre's methodolgy, this thesis contributes to an understanding of the ambigious nature of legitimacy as seen from diverse academic disciplines. This is important as Beetham (2013) insists, for example, that legitimacy is understood differently by philosophers and social scientists and the same may be said for police officers as the narratives revealed. Beetham (2013) also makes an important point which is relevant to this research, and social scientists more generally, and this is that it is insufficient to rely upon empirical claims to legitimacy based solely upon a subjective belief in it. According to his formulation, empirical claims to legitimacy require discursive enquiry of the grounds to which a claim to legimate authority is made and, an examination of the integrity of those claims - considered in a social and historical context. The use of oral history interviews allowed a reflection of the particpants understanding of legitimacy in the sense that Beetham conceives it. The use of MacInyre's (2012) methodology also allowed consideration of the historical context.

Whether or not police officers could justify claims to legitimacy based upon a legal basis was not at issue here. I argue that what is important is to explore the nature of the normative framework in which police officers claim justification to exercise considerable legitimate power over citizens, and whether the ends and means of that power accord with the norms and beliefs of the communities they police. This is especially so as Beetham (2013) argues, it is unsufficient to justify claims to legitimacy based solely on a subjective belief in it. It is highly

likely that within the relationship between the police service and the public, police officers belief in their legitimacy may be based upon a subjective belief that the community does not share. For example, police officers claim that their warrant and authority derives from their oath of allegiance to the Crown and has no bearing on their relationship with the public. Effectively, for them, legitimacy could be argued to be an ontological reality which requires no further justification. Clearly, this would be at odds with the nature of normative frameworks conceived by Beetham (1991, 2013) or any benefits arising from the procedural justice literature eminating from Tyler (2006). The ramifications of such a belief could be that police officers do not identify in any way with this moral aligment or any requirement to pursue it. Whilst that would directly address the research questions, it would also identify a 'legitimacy deficit' capable of explaining the perceived flaws in many police practices, such as undercover policing - currently under investigation in a public inquiry now chaired by Sir John Mitting (Mitting, 2015).

I argue that this is exactly the reason why this thesis has explored whether the police service should take the time to observe the importance of their legitimacy, especially as they place so much importance on the notion of policing by consent and the *Peelian Principles* to legitimise their conduct (Emsley, 2014; Her Majesty's Inspectorate of Constabulary, 2015; Ignatieff, 2005; Loader, 2016; Reith, 1948). This is important if, as I have suggested, police officers do not regard their legitimacy to stem directly from their relationship with the public, rather from their oath of allegiance to the Crown, but still claim to support the importance of policing by consent.

Albeit, I also accept that It would not necessarily change the perception of legitimacy from the perspective of the communities they police unless these communities expected or required their relationship to be normative and mutually agreed. The importance of this normative relationship was highlighted by Tyler (2003, p.286) who suggested that:

> to the degree that people do regard the police and courts as legitimate….they are more willing to accept the directives and decisions of the police and courts, and the likelyhood of defiance, hostility and resistance is diminished. (p.286)

Therefore, I suggest it is clear that there are many claims which can be made concerning the reality or nature of legitimacy based upon who is making a claim to legitimacy, who is subject to the claim and how these claims are expressed or understood.

For example, Beetham (2013) highlights its discursive nature; Bottoms and Tankebe (2012, 2013) signpost its dialogic nature. However, this thesis has revealed an alternative reality of legitimacy from the perception of the participants based upon their reliance on their allegiance to the Crown rather than the public. Accepting this point leads to the suggestion that, unless police officers receive some kind of education in the nuances of legitimate power, there may remain a legitimacy deficit regarding their obligations to the communities they police in so far that they consider it necessary to seek out in a meaningful way, the express consent to police them (Beetham, 2013). This is a simliar point to the one made earlier concerning the Code of Ethics and their understanding of it, and this leads on to consideration of how police officers relate the practice of policing and to the exercise of the virtues internal to that practice and their links to the Code of Ethics.

According to MacIntyre (2012) history has taught us that, in the same vein as the discursive nature of legitimacy, discussions on the virtues reveal wide ranging and incompatilble theories from ancient Greek to Western, Japanese and American Indian cultures, none of which share a single core conception of their nature.

3.4 Narrative Unity of a Human Life and the Use of Oral History to Reveal the Virtues of Good Policing

For there to be any understanding of the virtues of any practice such as policing, MacIntyre (2012) argues that it is important to understand the narratives of those engaged in that practice as an episode in the context of narrative histories, involving the actors and the settings in which they are placed. The notion being that all actors are characters upon a stage which is not of their making and engaged in a plot which is subordinate to the actions of other characters, some of whom constrain each other (MacIntyre, 2012). The use of narrative enquiry as a qualitative methodology is also widely supported in a growing body of literature (Andrews,Squire,&Tamboukou, 2012; Clandinin& Connelly, 2000; Plummer, 2011; Riessman, 1993, 2008). Importantly, however, it is in the understanding of how the relationship of one drama can constrain another that gives life to the link between action and narrative (See:MacIntyre, 2012, p. 213). MacIntyre (2012) cautions that in the retelling of these narratives, the narrator may place the events in an order in which they were not lived, and this can falsify the narrative. However, he also recognises that, to an extent, narrators cannot go exactly where they please because they are constrained by the narratives of others in a historical and social context. Thus, there are always constraints on where individuals can go, and this binds them towards

an uncertain future as though the narrative has a beginning, a middle and an end - a telos towards which all actors engaged in a practice are directed. This is part of the narrative structure of human life in which actors play many parts. As such, according to MacIntyre *(2012, p.216), "*man is essentially a story-telling animal and at this point actors enter human society*"*. It is in the hearing of these narratives that, like children, those engaged in a practice and in the wider social world, learn the essential ingredients of social existence. In the same way, children are warned of the dangers ahead by reference to fables in which each story has an embedded meaning. Within these narratives are to be found the virtues which guide actors towards the goods which are internal to their practices, but also towards the *telos* of a good life more generally (MacIntyre, 2012) .

In the same sense, there is a long tradition amongst police officers of using storytelling to exemplify both the goods and evils of policing. Existing research in policing suggests that storytelling is used to contextualise the application of the law and lessons learned from the past; to alert new or younger officers to the hazards of policing; to reinforce perceptions of some elements of the communities they police; and very importantly, as humour during times of hardship (Holdaway, 1983; Muir, 1979). In the context of police canteen sub-culture, Waddington (1999, p.287) suggests that "what occurs in the canteen is expressive talk designed to give purpose and meaning to inherently problematic occupational experience*".* Van Hulst (2013, p.624) also argues that, divorced from the literature on police sub-culture, "storytelling is a crucial part of everyday police station life*",* analysis of which is worthy of merit as a theme in itself. More broadly, within the field of criminology there is a growing body of

literature supporting narrative as methodology (See: Presser, 2016; Sandberg, 2010). For this reason, the use of oral history interviews in support of this thesis presented endless opportunities to explore the oral tradition of policing in which the virtues of good policing may be revealed from stories concerning participants reflections on their attitudes and behaviour, and that of their colleagues (Muir, 1979). Albeit, there is also a need for caution as Holdaway (1983) argues that there may be exaggeration in the telling of stories which draws a distinction between the canteen narrative and the reality that the narrative purports to represent. However, Holdaway (1983) also suggests that 'police yarns' provide rich narratives which are used to uphold the 'practical' traditions of policing which are often mediated by the hierarchical organisational structures. This highlights the importance of selecting by purposive sampling, participants from many levels of the police rank structure. Holdaway (1983, p. 183) also cites Hannerz (1969, p.111) who argues that "An individual's vision of reality is often a precarious thing: we can find comfort in the knowledge that it is shared by others, thus acquiring social anchoring in an objective truth".

Weinberger (1995,p.2) has also observed that whilst oral histories of policing are subjective in origin, they provide a considerable amount of "symbolic, cultural and personal meaning" this being one of their strengths. This point is strongly supported by Fairclough (2015) who argues that any discourse is a social practice involving a relationship between language and power in a social context. These discourses are socially constructed and interpreted in the context of the social environment in which the discourse takes place and for this reason, the process and the social conditions of production, together with

the social conditions and process of interpretation, are capable of analysis and explanation (Fairclough, 2015). I experienced many incidents of such stories being told during my police service and I have seen how powerful they can be. For example, during a recent evaluation of a Youth Offending Service intervention piloted in Suffolk (Manning, 2015), an experienced police officer told me something he had been told by his tutor constable, 26 years earlier "During your 30 years of service many things will change but one thing will never change and that is what the public expects of you". Setting aside whether this perceived wisdom is defensible in fact, it is consistent with the observations of Holdaway (1983); Van Hulst (2013); Hannerz (1969) and Waddington (1999). It was clear from the reflections of this officer that he had received this statement as a solemn and philosophical statement about policing, and the profound effect it had on him was immeasurable. However, in consequence, it is likely that, in an ever changing world, this officer has considered the public perception of policing to be a constant and unchanging reality, and this highights a powerful dimension in support of using oral history to gain insight into the fact that change does happen.

As Cockcroft (2005) puts it, oral history presents opportunites to gain insight into otherwise impenetrable social worlds and to give a voice to people who it is likely would not be heard or examined by orthodox history. Further, in support of MacIntyre (2012), these accounts can be used to understand the dimensions of the development of moral practices in policing, and police officers perceptions of the virtues of 'Good Policing'.

According to MacIntyre (2012):

> the unity of a virtue in someone's life is intelligible only as a characteristic of a unitary life, a life that can be seen and evaluated as a whole", involving "a concept of a self whose unity resides in the unity of a narrative which links birth to life to death as narrative beginning to middle to end. (p. 205)

This concept of a 'narrative whole' was used as a framework to evaluate the data gained from the participants. It can be seen that this concept of selfhood according to MacIntyre (2012) differs from the sociological concepts of the self in the sense that Goffman (1972) conceives it and I have already illustrated (on p.69), MacIntyre's general critique of these other concepts.

However, the importance of narrative to MacIntyre (2012, p.219) is not just that those engaged in practices, such as police officers, may learn from their narrative histories; it is also that they can use this knowledge to develop narrative *quests.* These quests are "always an education both as to the character of that which is sought and in self-knowledge'" and would include the criteria for success and failure; identify the telos towards which their efforts should be directed, and a conception of the good to be gained by this quest (MacIntyre, 2012, p.219). Applying MacIntyre (2012) as both a theoretical and evaluative framework to this research, presented opportunities to explore narrative examples from police officers in pursuit of developing morally good policing practices and developing narrative quests in search of the goods internal to their practice. These quests would include a telos to which their quest had been directed and would require identification of some concept of the good to be achieved – justice, for example. I argue from this application of MacIntyre, that it would afford a developed understanding of the requisite virtues necessary for the quest to succeed. There is some evidence in the

chapters that follow which suggests that many of the participants, without using the language of MacIntyre, developed quests which motivated them to join the police service with an expressed desire to do good for the communities they policed and this was part of their narrative unity linked, as MacIntyre suggests, to narrative quests.

3.5 So what? The strengths and weaknesses of this approach.

It must be acknowledged that MacIntyre (2012) is not without his critics. Turner (2013, p. 241) for example, is critical of MacIntyre for being too nostalgic in his emphasis upon narrative history and the moral development of communities. He argues this potentially "obscures a constructive approach to the present and the future". Turner (2013, p.241) also argues that MacIntyre's thesis is deficient because it ignores the importance of human rights as a measure of "shared values, customs and beliefs across different cultures" for which "the law could function as a shield against the corrosion of the community that MacIntyre regards as essential to the virtues". This appears to be a fair criticism of MacIntyre (2012) in the context of considering a natural law justification for values, customs and beliefs. However, it does not detract from the central tenets of MacIntyre's work laid out thus far (albeit, it may provide an alternative explanation for the place of values and beliefs within communities). Beadle and Moore (2006) also argue that MacIntyre has not fully developed the concept of a practice, or the nature of the goods internal to it, and this raises difficulties in interpretation. Other general criticisms could arise from cultural theorists who may reasonably argue that it is the culture of policing which shapes police practices and differs according to their relationship with the communities they police (Bowling, Reiner, & Sheptycki, 2019; Chan, 1997; Holdaway, 1983;

Loader & Mulcahy, 2003; Reiner, 2012). These are matters which I will explore throughout the presentation of data in chapters 4, 5 and 6. However, as cited throughout this thesis, MacIntyre, too, has critiqued the inconsistent and incontestable approaches of enlightenment philosophy and to an extent, the methodology and work of sociologists.The point being that, I accept that all methodologies are open to question with each having their own particular strengths and weaknesses.

These criticisms do, however, raise questions concerning reliability, validity and the importance of reflexivity. Dealing first with reliability and validity,Thompson (2009) an oral historian, acknowledges that the reliability of oral historical accounts as data should be subject to scrutiny and requires careful consideration. However, he argues that drawing upon a long history of using interviews in social science methodologies provides reliability whilst acknowledging and allowing reflection upon potential bias. Thompson makes similar claims about the use of documents in orthodox history in the sense that there will always be questions regarding the provenance of these documents. Importantly he adds that "the recording [of an interview] is a far more reliable and accurate account of an encounter than a purely written record" (Thompson, 2009, p. 126). All of the participants oral history interviews for this research were audio-recorded with their written consent and later transcribed verbatum. Riessman (1993) also suggests that "Narrative analysis is not useful for studies of large numbers of nameless, faceless subjects". For this reason, I argue that for this study of 16 participants informed by MacIntyre's (2012) own methodology, narrative analysis of oral history interviews was wholly justified and the tools used were reliable in the context and setting that they were used.

Further, their use was derived from MacIntyre's (2012) own theoretical framework as laid out in detail throughout this thesis. In terms of validity, separating fact from fiction is a well known limitation in the use of qualitative narratives for social science research (Clandinin & Connelly, 2000; Riessman, 1993; Riessman, 2008). However, I wish to reiterate that in terms of validity, I make no claims that the data gained from this research is in any way generalisable to a wider audience and as such, it would be considered low in external validity but these limitations are common to qualitative approaches. However, I have considered problems associated with memory recall and the possibility of reconstructed narratives which are not an accurate reflection of the actual event. By applying MacIntyre's methodology to the practice of policing, I accept that I cannot take the narratives as told, too literally although I take encouragement from Clandinin and Connelly (2000, p.3) who highlight that it was MacIntyre (2012) whose methodology helped them to understand more fully the meaning of "personal practical knowledge" through the lens of narrative unity and further, to understand the importance of "continuity in individuals' lives".

As already stated, Waddington (1999) and van Hulst (2013) also argue that storytelling in policing, examples of which will appear in the following data chapters, are rich in detail and worthy of consideration as an insight into the perceived realities of policing. Further, over the course of the interviews, as will be seen in the following chapters, there was a high degree of consistency in some areas. As such, to an extent, the narratives corroborated each other to the point of saturation in many respects (perceptions of authority) and also in the sense that MacIntyre alluded to.

Archer (2012, p.1) suggests that reflexivity "the regular exercise of the mental ability, shared by all normal people, to consider themselves in relation to their (social) contexts and vice versa", like language, has a history which evolves and is necessary as it provides the imperative for individuals to be reflexive. By definition, oral history interviews require individuals to be reflexive and to orate their past from a particular social and historical setting. The same could be said about my own interpretation of what I was told.This I consider to be the essence of the stories told by the participants for this research as oral reflections of their experiences and their perceived realities of policing. As already argued by Bottoms and Tankebe (2012), this also illustrates the dialogic nature of the wider debates on police legitimacy as they proceed from multiple streams of knowledge, social and cultural settings. The methodology used in this research required the participants to reflect upon their childhood experiences, their motivation to join the police service, their religious beliefs and their experiences during their police service. In doing so, analysis revealed that the participants, to a greater and lesser extent, revealed life stories through which their own telos and the virtues of their life and practice could be evaluated. Further, in defending his own thesis many years after he conceived it, MacIntyre (2016, p.315) concluded "The perfection and completion of a life consists in an agent's having persisted in moving towards and beyond the best goods of which he or she knows". This, I submit, is the telos towards which a narrative quest of a police officer, who has acquired virtue, should be directed in pursuit of the practice of morally good policing. Now, to consider the participants who are/were the subject of these quests.

3.6 The Participants

Selection of the sixteen participants was achieved by purposive sampling (Barbour, 2014; Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013; Silverman, 2010; 2013). For reasons already illustrated, the theoretical approach determined by MacIntyre (2012) required consideration of an historical context in policing practices. Purposive sampling allowed selection of participants from a rural constabulary and a police service operating in an urban metropolitan environment (no further distinction made), who would possess the characteristics and attributes enabling them to provide rich and detailed accounts of their practice in the setting under research, and in the context that Bottoms and Tankebe (2012) had suggested. Thompson (2009), too, points out the benefits for oral historians of being able to choose precisely whom they wish to interview for the purpose of gaining access to particular or 'restricted groups' of individuals for the purpose of research. Purposive sampling allowed this. This was informed by the decision to use oral history interviews with participants who would provide a background account of policing in the form of 'life stories' spanning 50 years over 6 decades (Riessman, 1993; Silverman, 2013; Thompson, 2009).

The participants were comprised of nine males and seven females, two of whom identified as BAME. There was also representation from all ranks of the police service from constable to chief officer: eight were retired and eight were still serving with an age range between 34 years and 67 years. These oral historical accounts allowed reflection upon many of the changes which are argued to have occured within policing between1965 and 2015 and which had the potential to influence the participants perceptions of their legitimacy and the

changing relationship of policing with the communities they police. It was anticipated that examples would include the considerable changes in policing since and in the phases of the *golden age* (Emsley, 2010), the crisis of legitimacy (Reiner, 2012), the empirical research on procedural justice (Tyler, 2006) and finally, the evolution of the College of Policing in 2013.

For analytical purposes in order to explore changes in police officer perceptions over time, the period under research was divided into 2 - timeframes: TP1 from 1965 to 1989 and TP2 from 1990 to 2015.

Table 1 below details the 16 participants who took part in this research.

Time Period	Pseudonym	Year Joined	Rank in service	Status
TP1	Ernest	1965	Superintendent or above	Retired
TP1	John	1966	Detective Sergeant	Retired
TP1	Laurie	1970	Inspector	Retired
TP1	Margaret	1971	Superintendent or above	Retired
TP1	Edmund	1974	Sergeant	Retired
TP1	Thomas	1974	Constable	Retired
Tp1	Christine	1981	Detective Constable	Retired
TP1	Jill	1989	Superintendent or above	Serving
TP2	Catherine	1991	Sergeant	Serving
TP2	Simon	1993	Constable	Retired
TP2	Elizabeth	2003	Constable	Serving
TP2	George	2006	Chief Inspector	Serving

TP2	Veronica	2015	Constable	Serving
TP2	Louise	2015	Constable	Serving
TP2	Sunny	2015	Constable	Serving
TP2	Sax	2015	Constable	Serving

Table 1: Participants

In respect of the serving officers, access was gained with the permission of the chief officer teams from both organizations (copy of permissions being granted are held by the researcher at the University of Suffolk). It is acknowledged that using gatekeepers to gain access to participant's can, on occasions, impact upon the quality of the data gained as adverse influence could be placed upon them (Barbour, 2014; Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013; Silverman, 2010, 2013). However, in a hierarchical organisation such as the police service, the use of gatekeepers is inevitible. Albeit, for this research, having gained permission, there was no evidence of interference or intervention into the accounts provided by the participants – all of whom presented as very open and frank and were participating willingly. All interviews took place at a safe and mutually agreed time and place and were audio recorded with informed consent. I also used a semi-structured interview schedule (a copy of which is attached at Appendix A) as an aide memoire to prompt me to explore particular areas of interest (Riessman, 1993) Access to the retired officers was also achieved by purposive sampling of retired officers from the same organisations, but without the requirement for gatekeepers. Although initial contact was made through a social network named the National Association of Retired Police Officers (NARPO).

3.7 Ethics

Approval to conduct this research was gained from the Ethics Board of the University of Suffolk (formerly University Campus Suffolk) on the 15th June 2016 (a copy is held by the researcher and the institution).The research was guided by the ethical framework for staff and students conducting research at this institution - the key principles of which included securing the emotional well-being, rights, dignity and personal values of the participants who should be fully informed of the purpose, methods and ends of the research and any risks associated with their participation; participation should also be voluntary, with informed consent and to include the right to withdraw at any time; research should be independent and free from conflict and ensure impartiality; participation should ensure as far as possible, anonymity and confidentiality. This ethical framework and others like it are informed by a plethora of social science literature (see for example, Andrews, Squire, & Tamboukou, 2012; Clandinin & Connelly, 2000; Denzin & Lincoln, 2008, 2011; Riessman, 2008; Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013; Seale, 2012; Silverman, 2010, 2013).

All participants recruited by purposive sampling for this research were made aware of these key principles orally and in writing and they each signed a participant information/informed consent form detailing how these principles would be observed. This included permission to audio record the interviews (a copy of which is produced at Appendix B).

3.8 Analysis

The data arising from the audio-recorded oral history interviews was transcribed verbatim and imported into NVIVO for analysis (Bazeley & Jackson, 2014; Ritchie, Lewis,McNaughten-Nicholls,&Ormston,2013). Silverman (2010, p.254) notes the benefits of using computer aided analytical software as including the "speed of handling large volumes of data; improvement of rigour in searching and counting datasets and facilitation of team research". I considered this important as the audio recordings amounted to 23 hours and 20 minutes of oral history narrative with interview duration ranging from 1hr and 13 minutes to 3 hrs and 20 minutes. Analysis was conducted in the context of Macintyre's (2012) 'whole life narrative' methodology used as both a theoretical and analytic framework.

Riessman (1993) highlights the importance in narrative research of using the story as the object of analysis. This I did for all 16 interviews and in the first instance, I concentrated on reading, listening and familiarizing myself with the data (Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013), paying particular attention to what Thompson (2009, p.126) refers to as the words as spoken as well as the "social clues, the nuances of uncertainty, humour or pretence as well as the texture of dialect". This allowed an early analysis of how the participants reflected upon and made sense of their personal experiences and of the order in which they prioritised the telling of these stories (Riessman,1993).

Each interview started with a simple question "Tell me something about your early life?" This question elicited many different responses, but as Riessman (1993) suggests, it became clear that each participant started at a place which

was important to them. Laurie, for example, told how his father was a former prisoner of war and how this impacted upon his childhood experience in the East End of London during the 1950s and the conflicts arising from it. Ernest told of the importance of Catholicism to his family rituals and as a result, the tensions and conflicts which arose within the familial setting. This included reflection upon his own experience of religious practice throughout his childhood. From this first question, most participants laid out a narrative foundation for the development of their own character. As Riessman (1993, p.3) also argues "Respondents narrativize particular experiences in their lives, often where there has been a breach between ideal and real, self and society". This was evident in many of the narratives. Having familiarised myself with the narratives, I coded each of the interviews into narrative nodes using a form of thematic analysis to develop a thematic framework comprised of framework matrices, themes and sub-themes within the narratives (Ritchie, Lewis, McNaughten-Nicholls, & Ormston, 2013). This framework provided an analytic picture of the oral history interviews from which I identified important themes dealing with the participants early experiences of life, their attitude to authority, motivation to join the police, their experience of recruitment and training and their experiences of serving in the police service. The final stage was to synergize this framework into Macintyre's own 3-part framework. This demonstrated that the data as initially coded had developed as an appropriate tool for final analysis in a MacIntyrian sense. From this final analysis, narratives emerged from which the following chapters will develop. When presenting quotes from particiants, they will be identified by their pseudonym and the year that they joined the police service.

Chapter 4

A Background Account of the Practice of Policing

"*Every art and every inquiry, and similarly every action and choice, is thought to aim at some good; and for this reason, the good has rightly been declared to be that at which all things aim*" (Aristotle, [c325 BC] 2009, p.3).

4.1 Introduction

The discussion that follows has been informed by a narrative analysis of 16 oral history interviews, evaluated within MacIntyre's (2012) contemporary framework of Aristotle's virtue ethics. The narratives will be used as a lens to provide a focus for discussion of the participants perceptions of the identification and understanding of the 'goods' internal to the practice of policing. Further, to explore how, through their quest to actualise their 'potentiality' in the sense that Aristotle [c325 BC], (2009, p.23) conceived it, the participants have sought to extend those goods over time and, in doing so, enhanced their legitimacy. The nature of these goods has been explored throughout this thesis, but in the context of procedural justice and legitimacy, they would usually include the virtues of honesty, fairness and integrity. The findings are also framed within the context of the plethora of relevant research literature concerning Procedural Justice, Moral Alignment, and Legitimacy and the claims arising from it (Beetham, 1991; 2013; Bottoms & Tankebe, 2012; 2013; Bradford & Quinton, 2014; Jackson, Bradford; Hough, Myhill, Quinton & Tyler, 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Murphy & Tyler, 2017; Papachristos, Meares, & Fagan, 2012; Mazerolle, Bennett, David, Sargeant, & Manning, 2013; Sparks & Bottoms, 2008; Sun, Yuning, Van Craen, & Kuen-lung Hsu, 2018; Squire, 2013; Tyler, 2003; 2006). Specifically, this thesis

contributes to an area of knowledge concerning an under researched topic within the literature on procedural justice and legitimacy; this being, the power-holders perspective on their own legitimacy (Bottoms & Tankebe, 2012; Bradford and Quinton, 2014).

The narratives reflect the participants' understanding and perceptions of the historical origins, practices, principles and purpose of policing from the time of its formal inception through the introduction of the Metropolitan Police in 1829, to the practices of contemporary policing, today. For as MacIntyre (2012) asserts, it is only in the course of striving to achieve excellence in pursuit of goods internal to practices (such as policing), that those goods can be properly recognized and specified by those who engage in that practice. Further, it allows identification and reflection upon the virtues necessary to sustain that practice and of the narrative quests necessary to achieve greater knowledge of them (MacIntyre, 2012). The practice of virtues may then be given their social and historical context by exploring the development of the relationships necessary, in and through membership of communities, and of the lives of those who have engaged in it (MacIntyre, 2012). This approach is reinforced by the observations of Morrell and Bradford (2019, p.86) who recently argued that understanding the practice of virtues in "real-world" settings such as policing has been largely ignored and for this reason, there are few empirical accounts of it in police related literature. One example would seem to be Herbert (1997, p.148) who has previously provided an empirical account of virtue in his ethnography of the Los Angeles Police Department (LAPD), in the United States, in which he argued that police officers construct a "potent self-definition" of "virtuous agents of eradication" cleansing the good

neighbourhoods of evil. It is argued here that this reinforces the use of MacIntyre's (2012) formulation of virtue ethics and to do so will invoke the use of a practice in the sense that MacIntyre (2012) conceived it:

> By a 'practice' I am going to mean any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systemically extended. (p.187)

This chapter commences by reference to narratives which deal with the participant's perceptions, intentions and beliefs which they considered important prior to, and on joining the police service. In essence, how their membership of communities - family, religious and social - had influenced their moral development towards adulthood (MacIntyre, 2012). More specifically, it examines their attitude to authority prior to joining the police service; their views on the police service prior to joining; their motivations to join the police service; and whether they had any conception of the internal goods they had expected to further throughout their service. This context is important because as Hursthouse (2010, p.14) argues, normative ethics which prioritise the practice of virtues, would recognise that all "rational adult moral agents" were once children and virtues have to be learned. This assertion is wholly consistent with that of Locke [1689] (1975) to the extent that he argued that children are born without innate principles of the mind. Essentially, at birth, the mind is a 'tabula rasa' or clean slate[10]. This demonstrates that children do not have the same

---

[10] A contrary argument exists within nativist theory that children when born are biologically predisposed to learn and some things such as language are part of our biological heritage (Keenan, Evans, & Crowley, 2016).

level of competence in moral reasoning as an adult and emphasises the importance for moral development to take place through learning during childhood in the right setting (Hursthouse, 2010). This is in contrast to the nature of deontological ethics which prioritises rules and duties over virtue and is silent on the character and moral developmment of virtuous agents (Hursthouse, 2010). This and the following chapters will explore how these perceptions evolved, were extended or frustrated by participation in the practice of policing; training; learning their craft; in their continued relationships within communities but also, how external factors such as policy and politics impacted upon them.

4.2 Attitude to Authority Prior to Joining the Police

Throughout this thesis, detailed consideration and reflection has been given to the goods considered to be achieved through positive procedural justice interactions and further, the claims made by those in support of it in furtherance of improved relationships between the police and the public (Tyler, 2006). Voluntary compliance with the law is a matter which is central to Procedural Justice Theory. As Tyler (2006,p. 3) argued "legal authorities know that the key to their effectiveness is their ability to make laws and decisions that will be followed by the public, so they try to act in ways that will promote public compliance with the law"- the purpose of which is to promote their own legitimacy or their right to govern. However, Bottoms and Tankebe (2012) argued that the absence of the power-holder perspective on procedural justice and the claims to legitimacy which flow from it, means that discussion often fails to address the dialogic nature of legitimacy and two interrelated dimensions: the importance of understanding both 'power-holder' claims to

legitimacy, and the perspective of those governed - the 'audience perception' of legitimacy' (Bottoms and Tankebe, 2012).

In their wider discussons, Bottoms and Tankebe (2013) make some important points regarding the police perspective on legitimacy:

> power-holders cannot and should not be expected to carry out their daily work with reference only to current public opinion and responses; and in any case, some aspects of their work, certainly in the case of the police and prison staff are necessarily secret, so they cannot be subjected to immediate public scrutiny. (p. 62).

They continue by suggesting that self-legitimacy may be important to the effectiveness of those in authority and this leads them to argue that, "unless those that exercise power are convinced there is an adequate moral justification for their continuation in office, and for their daily actions …..they are unlikely to be effective" (Bottoms and Tankebe, 2013, p. 62). It is the moral dimension which is central to this thesis and how the 16 participants as retired and serving police officers, perceived the importance of this.

What, then, would be expected from citizens who choose to join the police service? Would their attitude to authority reflect a moral alignment to legal authorities and a notion that policing delivers goods which are of benefit to the community of which they are members, such as, fairness and justice (Sun, Yuning, Van Craen, & Kuen-lung Hsu, 2018; Jackson, *et al*, 2013). However, this cannot be assumed, as Reiner (2012,p.69) has argued that "if there was a universal consensus about norms, values and appropriate modes of social behaviour there would be no need for a police force". Therefore, it would be a positive finding if aspiring constables shared appropriate norms and values with the police service prior to joining, and these norms and values endured through

the training and socialisation processes, including influences from police culture and local policing practices (Reiner, 2012).

Conceptually, moral alignment has been defined by Jackson *et al* (2013, p.13) as "a sense of shared moral values and group solidarity with the police. Based on a sense of shared moral purpose assessments that the police are pursuing and defending right and proper values". It is significant that once again, moral alignment has been conceived from the perspective of the audience and not from the perspective of the police, or those who seek to join the police. However, to bridge this gap in knowledge, consideration is now given to whether moral alignment was a motivating factor prior to, and on joining the police service and equally importantly, whether candidates attitude to authority was a reflection of this. If so, it will demonstrate that a positive attitude to authority, if it is aligned to a 'respect' for fair and just practices exercised by the police, constitutes the beginning of a quest to realise the goods internal to the practice of policing and furthermore, demonstrates the possession and exercise of *phronesis* (practical wisdom) (Aristotle [c325 BC], 2009; Hursthouse, 2010; Macintyre, 2012).

Significantly, analysis of the narratives revealed that 15 of the 16 participants self-identifed with a positive attitude towards authority prior to joining the police service with only one participant, Sunny, describing himself as quite rebellious as a young person. Albeit, he later mitigated his position to being more questioning of authority, rather than passive acceptance of it. It was anticipated that not all participants would link their perceptions of authority to a moral alignment with policing *per se* in the sense that it is portrayed by Jackson, Bradford, Stanko, and Hohl (2013, p.13), and this was certainly the case. However, other references to authority were identified within pro-social

community activities: childhood relationships with parents, school and its supra activites, and religion (James, Jenks, & Prout, 2015; Fulcher & Scott, 2011; Millie & Hirschler, 2018).

For example, the following extracts from Christine, Catherine and Edmund illustrate unquestioning support for authority:

> *"It, yes...authority was....to be adhered to...no question that was it"*
> *(Christine, 1981).*
>
> *"Um...I guess I was one of those, people that never challenged it, I...rules were there to.. so that...for the right reason and everyone is to follow them...I mean if you followed if you did not follow them you were to be punished" (Catherine, 1991).*
>
> *"I had not got much choice...[laughs] I was not a rebel; I was not a rebel and [laughs]" (Edmund, 1974).*

Within their extended narratives, Christine and Edmund expanded their accounts with further references linking their attitudes to pro-social parenting. Catherine positioned herself within what she described as an extremely unconventional childhood setting. Her father was extremely strict and her acceptance of authority derived from that. Athough, in many ways, her childhood experience also caused her to develop quite a rebellious character which endured into adulthood and throughout her police career.

However, Sax (as demonstrated in the extract below), and Sunny (as it will later be demonstrated), also developed their narratives of authority with a strong sense of community arising from diverse religious experience and beliefs and in common with Ernest and to an extent John, this sense of community as a form of moral alignmnent was expressed quite powerfully by them. This theme will be developed further throughout this and later chapters.

"I would abide by rules set....but if I clash with something, when I was at a mosque and I was told to do something and I thought it was wrong, I would go and tell my dad because in Islamic...thought processes you have to respect your elders but Islamically your elders should respect the young…… I would say, as much as I could have been or, can be yeah law-abiding citizen and I am, sure everyone has probably broken the law, somewhere along the line...but yeah I respect the law...I abide by it as best as I can" (Sax, 2015).

George and Ernest developed their perceptions further by grounding them within notions of justice, injustice and community. This is an important finding as in respect of acquiring virtue, Bottoms and Tankebe (2012, p.137) cite Aristotle that, one way to learn about justice is through injustice, as a way of learning from "contrary states".

Firstly, George eloquently elucidates his self-reflection concerning positive childhood activites in the Scouts which, between the ages of 8 and 18, linked his moral development from childhood to adulthood.

"What was the attitude towards law abiding behaviour it was...absolute, compliance it was absolute um...um...model of [George laughs] er...you do no wrong in terms of my upbringing, and I was in the Scouts between the age of kind of, eight and 18, and I supposed I kind of enjoyed the regimented sense of...the unit like that, but actually...the values that you get from, a system, like that is that you, work harmoniously together and you do not become rogue and start committing, offences if you like, you have got to toe the line, so...so I learnt a lot of my kind of, practices around positive behaviour and everybody else around me was exactly the same as me so I never had any kind of rogue law breakers in my peer group" (George, 2006).

Significantly, during this time, George, developed positive ideas around shared values, beliefs and community harmony in the sense that Jackson, Bradford, Stanko, and Hohl (2013) relate to moral alignment. However, in addition, he grounded these attitudes in his own setting, having preceded his attitude to authority with a narrative of his experience of family during childhood.

Nonethless, his narrative reveals an early acquisition of, and a quest to practice virtues in respect of fairness, justice and his perceived obligations towards his community.

> *"I think there is no...no hesitation I was brought up in a very er...open liberal left leaning household...er central around social justice centered around er...perhaps a little bit of the...perhaps some of the conservative view of...making best use of your education to get meritorious increases in your, er in your, quality of life, but that you have firmly based upon the view that everything is...er about contribution to society er and I and I, and I think there is still very much a, a hierarchal class based system in this country …driven entirely by um, birth right, which I completely protested against, um, and as a result of that, I consider myself to be part of a, a working...collective who provides, civil good, and as a result, makes me working class" (George, 2006).*

Similarly, Ernest*,* located his attitude to authority within several pro-social institutions, namely, school, religion, family and parenting. As his narrative developed, it became clear the extent to which his father, a serving police officer, had provided a disciplined framework to guide him, and of equal significance, his mother's religious beliefs taught him the value of community and faith. In common, both parents had contributed towards his moral development. This, supported by his own faith, allowed him to demonstrate the development of a moral character and the acquisition, possession and exercise of virtues such as justice, and the courage to support it, at an an early age. It is argued here that this illustrates an important moral development for an aspiring police officer:

> *"authority at school, I was....I was...obedient because I worked hard at school….despite that my first day at the Catholic school I received six lashes with the cane for bullying…., I...felt very aggrieved at that, because I had not bullied anybody. I protested my innocence and was actually able to um...um confirm that I was innocent, and was told by the nun who caned me that I could have six lashes of the cane as credit...um, so er...it probably embittered me towards the way that...punishment was administered,…..in*

> *terms of the authority at school, as I say I was obedient and probably did not put myself in a position where...um...I was a threat to anybody, in society..because, in the back of my mind I always wanted to er...stay the right side of the law...and I certainly did not want to do anything that might reflect badly on my father… or, his position in life, um, I would be, compliant um, with just about every law and every bit of behaviour,..I was a good boy um...but um there were times when I was tempted to do all sorts of things and probably, came near the edge " (Ernest,1965).*

It can be seen in this extract how Ernest remained supportive of authority despite the perceived injustice of being wrongly punished for bullying at school, and more importantly, punished by a religious authority whom he respected. This form of procedural injustice could have caused long-term damaging effects (Tyler, 2006). However, once again, this experience, however unjust, was part of the childhood experience which led to him towards developing into a morally fair character (Bottoms & Tankebe, 2012). This theme will be developed further to explore whether an unquestioning or positive attitude towards authority is or was an important factor that motivated the participants to join the police service or influenced them whilst they were serving.

4.3 Motivation to Join the Police

According to MacIntyre (2012, p.221) individuals derive their moral identity "in and through membership of communities such as those of the family, neighbourhood, the city and the tribe". However, within the tradition and practice of policing, this has led to confusion concerning the role of policing as certainly, within its *Anglo-Saxon* roots, policing has always been regarded as a community responsibility until the inception of the new police in 1829. Its introduction was intended to suppress the poor morals and rising dissent amongst city dwellers and consequently set the police apart and on the path to conflict with those other members of the community (Brogden, 1991; Emsley,

1991; 2010; Melville, 1901; Reith, 1948; Rowe, 2018) although, the first principle of policing - the prevention of crime - required the first constables to secure public approval for their actions. As Reith (1948, p.63) argues "they [constables] were taught to behave in a manner that would induce the public to regard them as friends and servants, and to see that the exercise of their authority as policeman was neither bullying or tyrannical, but simply and solely a service to the public".

This appears to be the very essence of the debates on moral alignment, procedural justice and legitimacy as it is understood today (Tyler, 2006; Jackson, et al., 2012; Jackson, *et al* 2013). For example, the following extract from Sunny epitomises this desire for public service and doing good in the communities. It is of significant interest that in his wider narratives, Sunny was able to correlate his religious faith with close links to his community and how as a police officer of Sikh identity, he possessed a strong desire to help them. Here, Houston and Cartwright (2007, p.88) offer an explanation which is consistent with that of Sunny, but also seeks to explain the desire for public service more generally. They highlight how it is common for public servants to refer to their service as a "calling" with what they imply is a "decidedly spiritual chord". Houston and Cartwright (2007, p.91-92) reflect upon this desire for public service with empirical analysis of data gathered for the General Social Survey (1998) in the United States. To summarise, they claim that religious belief, being community focussed, ranks highly amongst public servants who also value "the intrinsic goods of their service - self worth and reward for hard work - above extrinsic goods such as pay, promotion and prestige". For Millie & Hirschler (2018) in their study of police recruits to Lancashire Constabulary,

religion and a desire to help people was also a motivating factor.This matter will be explored in more detail in chapter 5 as other participants who self-identified with religious faith also demonstrated a heightened sense of community, and this was a key finding in the data in respect of understanding the need for closer links between the police and their community and a positive desire to do support such links.

> *"I wanted to be out there dealing with the communities because that was the biggest thing for me, you know dealing with, you know, seeing role figures out there, helping the communities, be together and working together um and that was the main motivation for me was like. I want to do something positive where...I can have a positive impact on someone's life where they need help, but they do not know where to go or who to talk to. Especially within the Asian community as well I think there is a, which I am sure you are probably aware of yourself; it is just that Asian community tend to sometimes keep things, in house. They do not tend to believe, oh we shouldn't really get, the police involved or other social services or anything else because it is going to look bad on the community or so forth. So I have always thought to myself I should obviously do something good which also helps the community if I can help the community...one day I might actually end up helping someone who will find it comfortable, [to] talk to myself" (Sunny,2015).*

This extract from Sunny also reinforces the potential value of selecting police officers who from the outset, have an expressed desire to do good in the community and a heightened sense of the importance of a positive relationship within them. This is central to the debates on using procedural justice as a vehicle to heighten legitimacy. As such, how to select police constables of the right calibre has always been a major concern as was discovered by the first two commissioners of the London Metropolitan Police in 1829. The issue being that officers were drawn from the same communities as they were intended to police and brought with them elements of the norms/values and negative traits of that community (Colquhoun, [1745-1820] 2018; Melville, 1901; Emsley,

2010; Pike, 1985; Rawlings, 2002). This remains an important issue today. However, MacIntyre (2012, 221) argues this does not mean that "individuals [in this case, aspiring police officers] are required to accept any moral limitations which are peculiar to membership of those communities". It is more the case that these moral peculiarities are a starting point from which a quest, or a search for the good can be extended. He further argues that by picking up these limitations and developing them is to accept that every individual inherits a past that is, to some extent, in their present. They are *'bearers of a tradition'* in the same way that practices have histories and traditions in which the virtues necessary to sustain relationships within that practice, also require sustained relationships with the history or the tradition of that practice (MacIntyre, 2012, p. 221).

For example, in the extract below, George describes how from his perspective, the importance of the history and tradition of policing is clearly visible in policing today but, conversely, tradition can also be used to frustrate the evolution of policing, acting as a limitation in the sense that McIntyre (2012) discusses.

> *"Because, we do not allow people to, we do not have cognitive difference [George laughs] in the organization…......policing has been delivered in the same way for so, so long period of time, we always look to history and...if you look in the [police station] foyer, just walk in the foyer here (Mark: Uh-huh) what you see is 175 years' worth of policing history - they love that, they absolutely love 'look at what we are, today compared to what we are then', we are pretty much the same and that is what we do day in day out we police in that way" (George,2006).*

It is clear in the extract from George that he, and the others he refers to, are very aware of the living tradition of policing and it is significant to them, notwithstanding his own perception that this backward-looking mode of thinking may frustrate the evolution of the practice. This highlights the importance of

exploring the motivations for the participants to join the police in the context of their own histories and past involvement in their communities to establish, to what extent, if at all, these histories were a motivating factor.

One final point from MacIntyre (2012, p.222) at this juncture is his assertion that when an institution is the bearer of a tradition of practice or practices, for example, the police service, it is in good order if there is some common agreement about what *good policing* is or ought to be. Policing, then, can be seen a "living tradition*"* that is an:

> historically extended, socially embodied argument, and an argument precisely in part about the goods which constitute that tradition. Within a tradition, the pursuit of goods extends through generations…..hence the individual's search for his or her good is generally and characteristically conducted within a context defined by those traditions in which the individual's life is a part, and this is true of those goods which are internal to practices and of the goods of a single life. (p. 222).

Importantly, this highlights the importance of understanding the narratives presented here which link the past, present and future of policing together, as George illustrates. The context in which this occurs is considered and reflected upon further to explore how their life-narratives motivated these respondents to join and continue to serve as police officers, but also, of equal importance - what they took with them to the practice of policing from these histories.

In the extracts already discussed in this section, it is clear that at the very least, George, Ernest and Edmund all identified with a quest to achieve aspects of what Murphy and Tyler (2017) argue to be the central tenets and key principles of procedural justice: respect, neutrality, trustworthiness, and giving voice in their daily interactions with the public. The motivations to do so, should also be more than just being polite (Murphy & Tyler, 2017). Police officers serving today,

such as George, will already have some notion of aspects of these principles as they feature within the Code of Ethics published in 2014 by the College of Policing. With regard to giving voice, Edyvane (2008, p.319) and Hampshire (2000) were cited earlier in this thesis (ibid, p.37) and repeated here, as they both agreed that giving voice or allowing all parties in a dispute an opportunity to express themselves in a fair hearing is essential to effective procedural justice and this legitimises the fairness of the proceedings.

To what extent, then, would police officers at the point of recruitment be motivated or expected to express these virtues and if not, how could these be learned? For, as Aristotle [c325 BC] argued, for there to be an explicit link with moral conduct, the actor must first acquire virtue and then act from it (Aristotle, 2009). MacIntyre's (2012) contention may be persuasive here to the extent that, if these virtues are understood as of importance to communities, many of the virtues necessary for the practice of policing may have been learned, at least in part, by the participants prior to joining the police service. It is of interest here that Murphy and Tyler (2017) cite Rosenbaum and Lawrence's (2017) study on procedural justice training with 142 police recruits in Chicago, USA as part of a Quality Interaction Programme (QIP).Their aim was to explore whether recruits can be trained effectively in procedural justice from the point of recruitment and beyond.

Their research concluded that training does not impact upon police recruits' attitudes toward procedural justice, but it does enhance more respectful behaviours from them (Rosenbaum & Lawrence, 2017). These findings are developed further in this chapter by reference to exploration of the participants motivations to join the police and whether their motivations reveal the

possession of virtues which would aide them in their quest in the sense that MacIntyre (2012) discusses it and in particular, if they were already morally aligned to policing practices prior to joining.

4.3.1 The desire to do good

Analysis of the narratives revealed that moral alignment prior to joining is not necessarily the case as only 9 of the 16 participants were motivated to join the police service with an expressed desire to 'do good' – Laurie, Jill, Sunny, Christine, Elizabeth, Ernest, Edmund, George and Thomas. Of these, 6 participants joined in TP1 and 3 from TP2. This variation over time highlights something interesting about changes in the evolution of police practices and attitudes towards the community and is further reflected upon below. Additionally, the participants perceptions of good also requires further reflection to understand whether it is in the sense that, 'doing good' is for the good of everyone in a very broad sense, the good of the community in a more localised sense or a selfless desire to be a public servant (MacIntyre, 2012).

Morrell and Bradford (2019) provide an interesting observation concerning structural changes which may impact upon the practice of policing the community and how, on occasions, there will be no 'good', and being pragmatic, reducing harm and conflict may be the best outcome that it is possible to achieve. This observation by Morrel and Bradford (2019,p.xiii) acknowledges "how the scale and scope of contemporary change in policing make many existing perspectives and practices seem outdated, or even obsolete". Oral history data presented in this chapter supports this notion as highlighted above by indicating the relative change in attitudes towards the community from TP1 to TP2. None the less, any expressed desire to do good would contrast with

other motivations, for example, pure self-interest by gaining a financial advantage. This analysis, therefore, reveals the extent to which participants had acquired virtues (if at all), whether they realised this or not prior to joining the police, and if these motivated them to join the police service or made them more suitable for the role than other citizens. Alternatively, whether a lack of virtue, potentially made them unsuitable candidates. It is accepted here that structural changes of the nature highlighted by Morrel and Bradford (2019) may frustrate the quest to do good but, arguably, not negate it.

The following extracts illustrate how the participants desire to do good as a motivating factor to join the police, was manifested in their narratives.

In these first extracts, Christine is clear from her perspective that the practice of policing delivers goods to the community by helping people within that community, for example, children and the elderly. Whilst Christine alludes to gaining some respect for her service which may be considered self-interest, she also conceived that delivering public good in the community was a responsible thing to do and this demonstrates an essence of virtues of character in her quest to do good (Hursthouse, 2010). Elizabeth too, was clear that she was motivated to help people but in addition, show empathy to help them.

> *"it fitted with my philosophy in life...um because, I, I felt as though I was doing something which might be um...helpful to the community? At large? Um, you know and there is, that view is not there, all the leaflets and the booklets that they send you when you join the police is full of things like...helping children and old ladies cross the road and that, that appealed to me because it was something you know I thought was a good thing to do, it was a responsible thing to do and, and as such I would then be....seen as a responsible and respected person"* (Christine,1981).

> *"Um that my experience, would be able to help somebody else, not share what had happened but, I could empathise with somebody if I came across them" (Elizabeth,2003).*

In the next narrative, Ernest illustrates his perception that the telos of his practice in policing was to do his best in the community for 30 years as a community police officer.

> *"I probably thought that I would be, for 30 years a constable… doing my best within the community… and I saw myself very much as somebody who would be a community police officer…rather than anything else..." (Ernest,1965).*

It can be seen that Ernest makes no mention of personal gain and within his wider narratives, it appears that he had a heightened perception of what doing good in the community would or could mean in reality, because he was the son of a serving police officer and was also extensively involved in religious practice. Thus, this perception, whilst conceptually broad and absent of a defined telos, demonstrates some notion of the goods internal to the practice of policing, in the sense that MacIntyre (2012, p.188) conceives it. This point will be developed in chapters 5 and 6. Further, reflecting on the observations of Morrel and Bradford (2019), it is also important to draw a distinction between what Ernest, a police officer who began service in the 1960s may consider doing good to mean, when compared to an officer joining today. In the extract below, Elizabeth, a serving police officer from TP2, highlights her perception concerning the reality of policing in the 21st century.

> *" I think they are trying to...fill a hole they cannot fill, I think they are trying to make the best of, we have only got four police officers [per shift]… we are at the bottom, we are at the very bottom of the barrel of scraping, response officers to look after [demand], there is no community issue anymore because the Safer Neighbourhood teams have all gone [re-deployed] and they have...they have not been disbanded they have got two or three officers, and they have, they have gone because they have been put on response because*

> *they are so low, so they have let these numbers go so low, that we are now going...oh yeah we have not got any police officers"* (Elizabeth,2003).

At this juncture, Morrell and Bradford (2019) appear quite cautious but in principle, their ideas reflect Elizabeth's sentiments in the sense that they argue that as policing is an emergency service, when they are called, the situation is often critical and beyond delivering a good outcome. This, they argue, is also coupled to the realisation that the police service are subjected to considerable negative external scrutiny from several stakeholders to which they are required to justify their legitimacy (Morrell & Bradford, 2019). For this reason, they argue there is a "utopia problem" arising from a number of external factors which means police resources are insufficient to match the "hopes and aspirations" of diverse communities (Morrell & Bradford, 2019, p. 24). However, the data suggest that this utopia problem exists internally as part of police attitudes and practices as well as arising from the public expectations of them. As an example, earlier in this thesis (Ibid p.23) reference was made to 'The Peelian Principles' which Loader (2016) argues are regularly used to legitimize Anglo-American policing by romanticising the history of policing and further e.g. the renaming of the annual HMIC inspections as PEEL inspections. This appears to be exactly what Elizabeth highlighted when on one hand, policy and the practices of HMIC inspections hark back to these 'halcyon days' whereas the reality of today that she refers to suggests that community and neighbourhood policing is being sacrificed to response policing. On the other hand, the tension she senses as a result of these sacrifices is clear in her extended narratives of policing.

It is this distinction over time that informed the choice of oral history interviews covering a 50-year time frame to illustrate differences over time, but also to

explore how police officers learn from the living tradition that they inherit (MacIntyre, 2012), whilst navigating the reality of policing in the 21st century context that Morrel and Bradford (2019) refer to. I also consider this is important as Bradford (2019) and Jackson *et al* (2013), highlight the importance of moral alignment with the community and how this alignment is perceived to legitimate police practices. However, Elizabeth does not seem to demonstrate any awareness of this fact, and this is a key issue within this research as the concept of moral alignment raised by Jackson et al (2013) was argued as arising from the perspective of the public, whilst what is presented here are the perceptions of police officers on this subject, providing the basis for exploration of a number of tensions and previous assumptions. The extract presented above from Elizabeth is a good example. In the next extract, Edmund, disregards self-interest as a motivating factor and prioritises his quest to confront bullies or individuals who take advantage of, or exploit others, in the community, and this speaks to the virtue of justice and the vice of injustice.

> *"Oh no no, no, no I mean once I had, once I had sort of settled on that [joining the police] then I thought, yes I can make a contribution um...and I thought...yeah I thought to myself, I hate[11] bullies, I hate people who take advantage of other people, I hate um, anybody who who...who, um exploits anybody else um...I can make a difference and I can be there to deal with these people, and it sounds you know, [it] does sound noble but I did not think, I did not think oh yeah get on be a Superintendent yeah get loads of money, or anything like that, I just wanted to get in there I wanted to [do] a worthwhile enjoyable job that, that actually did something for the community, and it sounds a bit trite, but that is really what I did want" (Edmund,1974).*

Edmund was also born into a police family with an informed awareness of police

---

[11] In this quotation Edmund uses the word hate as a figure of speech and not as a genuine expression of emotion.

practices. His narrative highlights a developed quest to pursue justice for the good of the vulnerable in the community and this is important, because justice is generally regarded as one of the most important personal virtues and Edmund is not the only participant who gave credence to it (Hursthouse, 2010; MacIntyre, 2012). Laurie too, as will be discussed in more detail in the next chapter, had a heightened sense of justice and injustice developed during childhood. What is really important here is that Edmund linked justice and fairness to his quest to do good in the community and as a motivation to become a police officer. More surprisingly perhaps, is that not all participants did so.

The final extracts in this section, from George and Thomas, highlight how their desire for public service was experienced as a motivating factor to join the police service and importantly, how public service is integral to the practice of policing and to the exercise of the virtues necessary to extend that practice for the good of the community (MacIntyre, 2012). The desire for community service, to serve and protect and to help people were also motivating factors discovered by Charman (2017) whose own research involved interviewing new recruits to policing. Charman (2017, p. 252) observes that similar findings have been discovered in previous research by Chan (2003) and (Fielding, 1988).

> *"Public service...all of my family um...are in a kind of an NHS capacity my older sister is a nurse my father and mother were dental, oriented NHS people, my step dad is a doctor, my younger step sister is a doctor…… all of us...you get the idea that we are all kind of public service, and you know none of us are interested in money, actually it is just about actually having positive, aspirational, sense of achievement"* (George,2006).

Whilst public service in the sense that George (above) and Thomas (below) conceive it, may not be regarded as a virtue *per se* (Molina, 2015), the conduct it gives rise to is most likely to be and as such, within the practice of policing,

those who engage in it are likely to develop a moral character and a heightened sense of being a moral agent "serving as exemplars of civic virtues such as the common good, service to others and benevolence" (Houston and Cartwright, 2007, p. 90).

> *"To do the best I could...for...like you used the word society really, but um to achieve um.....to give, give a good public service really, as a public servant, um...and be...accountable really, for my work and um...to the citizens really….I mean I have, I have quite a lot of letters over my career where um, people have been, genuinely thankful of what I have done for them, um been very respectful and...um...you know a lot of, good wishes etc..." (Thomas,1974).*

The narratives of both George and Thomas, and the conduct they allude to, illustrate some notion of them both pursuing the public good. In particular, Thomas expresses his pleasure that his endeavors have been recognised by the community. Morrel and Bradford (2019, p.25) argue that conceptually, "at the level of service as a whole this concept of ongoing obligation is consistent with the idea that good governance involves pursuing equity and justice". This analysis by Morrel and Bradford (2019) is also set in a police context and specifically, in consideration of, and in pursuit of the public good. Kleinig (1999) also argues that it is perfectly normal that whilst engaging in daily social practices, matters concerning morality may be given a practical priority and this can be seen when political and legal intentions are placed under a moral lens for scrutiny in the sense that this thesis and the work of Morell and Bradford (2019) has done.

Arguably, this is almost certainly true for many police practices and conduct and it is clear from the extracts above that practical consideration has been given to matters of morality such as justice and fairness as Edmund conceived it. The important consideration here is that, as decisions made by police officers impact upon the lives of others, moral and ethical decision-making takes on a normative

priority (Kleinig, 1999; Pike, 1985). By this, it is meant that their conduct and the decisions they make are guided by principles and are ethically/morally what *should* or *ought* to be expected of a police officer. This is wholly consistent with MacIntyre (2012) and the literature which expresses the importance of the principles of procedural justice. However, the question that is addressed throughout this thesis is at what point does the aspiring/serving police officer enter the moral sphere, consciously or unconsciously, and how does this link with moral alignment, procedural justice or the virtues internal to the practice of policing?

In this sense, all of the participants whose extracts were discussed above, demonstrated an awareness of the goods internal to the practice of policing. However, Kleinig (1999) argues that the moral sphere is about what we are in our relationships with other people. As such, morality is, perhaps, less concerned with rules and principles, but more so with "virtues, character, reasons and attitudes as well as conduct" (Kleinig, 1999, p. 7).

In the extract below, Sunny from TP2 demonstrates just that:

> *"Doing good in the community is for...all communities, bringing them together but...in particular those communities, the Asian community who believe the police is not there for them, the police is not a place for them to go to is what I want to be able to show to them no...you should be able to go there, you should be able to use the services like any other community, the support is there for everyone and that is what I want to demonstrate, because obviously, that is yeah, basically that is what I want to demonstrate from that side of it"* (Sunny,2015).

There is further evidence in the extracts above that 9 of the participants identified with a normative priority, such as, the desire to do good in the community and in their motivations to join the police. It can be inferred that their motivation was normative in the sense that it was their perception that policing

'ought' to do good in the community and the community would value that. Of course, it could also be argued that, as the police service is a disciplined organisation, officers can be proficient by simply adhering to the rule of law and administrative rules (Dixon, 1997). Indeed, The Police Code of Ethics does not express any specific links with moral theory, but it does imply that adhering to its principles and standards will suffice to guide moral action. Unfortunately, as cited earlier in this thesis (ibid, p.50) there has also been some criticism towards the College of Policing in a Home Affairs Committee Report (Home Affairs Committee, 2016) which suggested that the College had failed to embed the Code of Ethics into police practices. There was also evidence in the interviews with the participants for this research which indicated that the training on the Code was, for many, delivered at a superficial level at best. This is demonstrated in the extract below from Louise:

> *"Oh god, I knew you were going to ask me that [Louise laughs] well there is different, is it nine different points, um might be more or less current but there is different points that a police officer should um, honesty integrity and um...you know doing the right thing and, um...I cannot remember" (Louise,2015).*

Accepting that not all officers absorbed the full content of the code, it can still be argued to be normative to the extent that it implies that police conduct should or ought to adhere to the code produced by the College of Policing (2014), and by inference, to adopt the behaviours and principles the code implies should deliver morally good policing. Equally, it can be argued by reference to Kleinig (1999), that blind obedience to the principles and standards of the Code of Ethics does not improve police officers moral decision-making and in this sense, acquiring virtue and acting from it, is more important (Aristotle, [c325 BC] (2009). However, an expressed desire to do good in the community is an

acknowledgment by the participants that having been drawn from that community, they possessed a partially learned sense of the standards of excellence internal to the practice of policing at the beginning of their career (MacIntyre, 2012).

Other participants expressed a desire for stucture in their employment or a belief that they possessed the necessary skills or could be competent as a police officer. However, in contrast, Simon, also from TP2, expressed a clear financial motivation to join the police service, rather than any moral imperative to do so for the good of the community, but interestingly, he was the only participant to do so:

> *"purely financial...you know? I even said that in my interview when they said 'why do you want to join the police?' Obviously, it was not my first explanation, you give them the normal...'oh I want to do my bit for society, crap', but the bottom line was, it was 92 I had just got married we had got a house. I wrote over 100 CVs or sent them to 100 employers...police, prison service. In fact, four of them, I am lying to you. Customs...um customs and prison service you could go [be posted anywhere], and I wanted to come back to [xxxx]......absolute 100% honest that was the reason (Mark: Mm) um but that really was reason number one" (Simon,1993).*

Simon was the only participant to expressly state a financial incentive to join the police service. Arguably, in the context of the history of policing, Simon will not be unique. In Brogden's (1991) oral history of policing 'The Mersey Beat' between the two great wars, he cites several participants who chose to join the police during times of financial hardship and job shortages. In contrast, Weinberger (1995), from another oral history of policing 1930s-1960s which immediately preceded the scope of this research, reported that only 11% of applicants joined the police service for instrumental reasons such as pay, status or security. This bucked a growing trend towards joining the police

service for more intrinsic reasons. However, this is not the context in which Simon chose to join the police and interestingly, he demonstrated in his narrative that he was aware of the more commonly expressed motives which have been discussed in this chapter, but he dismissed them out of hand "my first choice, first explanation you give them the normal...oh I want to do my bit for society, crap". However, as the narrative of his service developed, it became clear that his perception of the aims and purposes and by inference, the goods internal to the practice of policing, were largely indifferent to a normative perspective. As such, his perception of policing was instrumental and inconsistent with any of the other participants cited in 4.3.1 above. This gives rise to some apprehension about the value of recruiting procedures used to filter in or out those candidates applying to join the police service purely for financial reasons.

As a matter of policy, police candidates are exposed to a lengthy recruitment process during which their age, health, education, employment history, and any previous convictions are examined. As the College of Policing Circular 02/2011 (College of Policing, 2011, pp. 5,12) makes clear, "The public is entitled to expect that the Police Service recruits police officers with proven integrity" and this is consistent with the standards of behaviour which underpin the Code of Ethics (College of Policing, 2014) The recruitment policy makes explicit links to the College of Policing Circular highlighting consideration of previous convictions and the history of the applicant, their family and known criminal or adverse associations. In this process, the policy suggests that the character of an applicant should be placed under scrutiny for their suitability to serve as a police officer. In this sense, Hursthouse (2010, p.11) highlights how the virtues

are generally expressed as character traits or "the state of one's character" and this emphasises the importance of a rigorous examination of a candidate's character. However, whilst character references are sought from past employers, it is not clear the extent to which these references are scrutinised to identify the 'state' of a candidate's character or the possession of virtues such as honesty, integrity fairness or respect which are explicitly stated as important principles in the Police Code of Ethics (College of Policing, 2014). Aristotle [c325 BC] (2009, p.23) was also explicit regarding how virtues are acquired "Neither by nature, then, nor contrary to nature do the virtues arise in us; rather we are adapted by nature to receive them, and are made perfect by habit ". Arguably, the selection process provides a perfect opportunity to inquire into the character of police recruits. However, it is the perception of the participants that such inquiry is not always exercised objectively or efficiently.

As an example, the extracts below highlight both similar and contradictory experiences from the participants gained over 6 decades of policing. Firstly, Edmund who joined the police service during TP1 in the 1960s, initially as a cadet:

> *"No it was a rubber stamp job really, because I had done a year in the cadets, and I went for an interview with the Commandant of the police cadets...and he said [we are going...pre-attestation, it was called], we have considered your situation, Cadet and we are going to recommend that you go to the training school ok? next one. That was it" (Edmund,1974).*

Here, Edmund who shares similar experience with Ernest, John and Laurie, was in his own words 'rubberstamped' into the service as a constable. Albeit, during his service as a cadet, the recruiting authority would have had ample opportunity to inquire into his character and

suitability.

Christine and Catherine who joined ten years apart between 1981 and 1991 both described their different experiences of the selection process:

> *"Um...no...no, I think...do you know honestly, I think if you had a pulse and you passed the exam [Christine laughs] you were in" (Christine,1981).*
>
> *"There was a lot about community what, what had I done to help people, what had I done to um...yeah, it was a lot of community work, and my venture scout provided an awful lot of those examples, leadership there was a lot of stuff on leadership and I was saying I was a captain of each of these and that sort of thing, so yeah I cannot remember what the questions were but it was, that kind of, my Venture Scouts, my travel…was enough I think to fulfil it" (Catherine,1991).*

It is clear from the extracts above that Christine sensed that assuming that all tests were passed, selection was a given. However, ten years later in TP2, Catherine experienced something different and involvement in the community as well as personal attributes, were explored. Over ten years later George joined the police service and his perception of the selection process suggests recruitment processes had evolved further:

> *"it is a, written application based..around some...generic competencies, and I think that is quite heavily pivotal in terms of opening the gate keeping to, what is then the assessment centre, and a lot of people fail at that point actually, which is a real shame...the assessment centre is very rigid in its application of verbal, numerical reasoning testing and, some, role play scenarios, around likely um...things you might come across, conflict wise and decision making wise, diversity wise, and then it is um...an interview, which is the final validation in terms of the organisation to make sure checks and balances you are the right type of person. So I think, I think, policing lets itself down insofar that it does not really, being honest with you, allow difference to come into the organisation as quickly as it ought to, which is probably why you are going to challenge me back about direct entry because it is probably the purpose of that, but I have not seen difference come in on that route. We tend to find, people are moulded in our own image and policing has that kind of unfortunate um problem with its*

communities, does it reflect the communities it serves? No, it does not because you have got WASPHMs, white heterosexual Anglo-Saxon protestant men who select people in their own image. This is why our female diversity is terrible, our BME diversity is terrible, our, our protected characteristics are terrible, but we also, do not have cognitive diversity, our cognitive diversity is really poor. So, actually, that, does not really help us, so everything is, is geared towards doing things in our own image (Mark: Uh-huh) and this is the legitimacy question, that makes us illegitimate in my mind" (George,2006).

Here George provides a thought-provoking answer to the question of the extent to which, at the point of recruitment, constables are or were screened for character in addition to their age, health and general qualifications. Even so, George remains critical of the extent to which this more developed recruitment process filters in candidates with cognitive or physical diversity. He suggests, therefore, that the police recruitment process favours white, Anglo-Saxon, protestant, heterosexual men in the image of the recruiters and not in the image of the community it serves. This is a crucial point when considering moral alignment between the police and the communities they serve (Jackson *et al*, 2013) but also, the extent to which the idea of character was being explored. George emphasised assessment of numerical reasoning and checks and balances to ensure the candidate is the 'right type of person', but then discusses his perception of those who are excluded by reason of not being in the image of the recruiters. For this reason, there is no suggestion from George or any of the other participants that the selection process deeply interrogates a candidate's motivation to join the police service. Therefore, it is likely that for Simon and others like him, their motivations remained unexplored. This is not to say that Simon was in any way unsuitable to be a police officer, but his motivation to join as expressed earlier was not one of virtue as it is being discussed here and was not interrogated deeply by the selection process. As

such, his undetected purely financial-motivation remained and may account for his instrumental perspective of policing. This demonstrates that the selection process may not always be as rigorous as it is claimed to be and as such, the character and integrity of officers remains, at least partly, unchallenged by this process.

This is a crucial point as Pike (1985) argues that one of the most important characterisitcs of a police officer is their ability, through the use of their personal discretion, to make decisions which are fair and according to the law. These decisions are likely to be impacted upon by their character and cognitive differences as well as their training. Indeed, it is explicitly stated in the oath sworn by all police officers at the time of their attestation before a Justice of the Peace as illustrated below (Police Reform Act 2002 [PRA]):

> *I....................of....................do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.*

It can be seen that the oath of allegiance and the Code of Ethics make specific links to principles and conduct but as discussed, the extent to which the selection process explores private motivation, morality, thoughts, values and beliefs and whether these may conflict with professional ethics remains a question to explore. Clearly, as already stated by reference to Kleinig (1999), blind obedience to the principles and standards of the Code of Ethics does not improve police officers moral decision-making or explain how officers deal with

any moral conflict. However, it does, once again, reaffirm the importance of acquiring a virtuous character and acting from it (Aristotle [c325 BC], (2009).

4.4 Source of Authority

At this juncture, the data reveal some interesting perspectives from the participants on a matter which is also central to this thesis. This being, their claims to, and possession and exercise of, their authority and how these claims are legitimised by them. In particular, the data highlight the perceived importance of the oath of allegiance sworn by police officers at the time of their attestation and their deference to the 'rule of law'. In support of their deference to the rule of law, Herbert (1997,p.38) argues that the rule of law is a "central value" in policing. Dixon (1997, p.2) also highlights how "subordination to the rule of law is a central tenet of police claims to legitimacy". However, Dixon (2005, p.636) also highlights how for state agencies such as the police service, conceptually, the rule of law has been consistently difficult and it has often been used as a 'synonym' for 'law and order'. This leads on to consideration of why the oath is sworn to a magistrate, how it may influence or frustrate police officers' acquisition and practice of virtues in pursuit of goods internal to the practice of good policing, and how they may lay claim to legitimate authority from the crown and the rule of law without deference to the public. Here again, Dixon (1997, p.2) argues that this form of legalism gives rise to promises by the police which support the "effectiveness and efficiency" of their practices and renders "other forms of accountability of the police to others as superfluous or inappropriate" (Dixon, 1997; Bottoms & Tankebe, 2012).

Of the 16 participants, 10 perceived that their source of authority derives from the rule of law and their oath of allegiance sworn to the Queen, and these were

split equally between TP1 and TP2. This suggests there has been little or no evolution of thought on issues of procedural justice and legitimacy at a time when it is claimed that they are considered highly influential in policing. The importance of this was illustrated in the introduction to this thesis (ibid, p.11) by reference to a speech by Sir Dennis O Connor at the University of Cambridge in 2015.Therefore, the perceptions of these 10 participants offer an extremely crucial insight and are highly pertinent to the concept of moral alignment, but more broadly to policing by consent, procedural justice and questions of police legitimacy. As examples, the perceptions laid out below from Christine, Elizabeth, Jill, John, Laurie, Sax and Thomas are clear and unambiguous on this subject:

"Apart from...the power that...invested in me by the magistrates court um...[Christine exhales]...the law is behind me...and that is what the law, and at the time also you are wearing a uniform...and that uniform is a clear symbol of, of the law (Mark: Uh-huh) and of what is, right...and what is right and responsible and that is where, that is where your power comes from" (Christine,1981).

"I suppose the affirmation when you join and you go and swear into the judge, and I know it has changed a little bit um…. I will, you know serve the Queen and protect the property, and blah blah blah blah blah, I know that has changed a little the wording has changed but...I think that is where it starts" (Elizabeth,2003).

"one of service, is absolutely key, so, the police officer needs to understand where they fit in the equation, they are a servant um so there is a level of humility there, level of service obviously, but not one of weakness, so I think, and it is, I think it is often interpreted to be one that just carries out whatever anybody wants, that is not what a servant, a public servant is because at the end of the day we serve the queen we do not serve the member of the public, we deliver the service by consent, so there is that level of understanding but it is not um, we are not servants to those individuals um, so, I think that relationship needs to understand that it is not a power relationship, it is one that is done through negotiation um, influence, diplomacy, um working to make the, the community as a whole a better place" (Jill,1989).

"the authority that came with that, which came from statute law or common law...the Queen....well it was the law, I had sworn an allegiance, I had taken the oath um for the officer constable" (John,1966).

"Yeah from the Crown, from the legislation that was created in the name of the Crown.....Yeah well a Constable was a citizen local appointed having authority under the Crown, for the protection of life and property, and prosecution of offenders against the peace" (Laurie,1970).

"Yeah the authority, the authority comes from the public because they let you have it, they might not have chosen to have those authority rules there but it has come from them- the public have given you. The queen...so you get sworn in...um...I am not going to read out the thing [Sax laughs] I am not sure I can remember it but yeah, you know, you're policing for the people, policing, does not matter if you are hierarchical up there or like lower down, yeah..[sometimes] people forget that they have given consent for police officers to do their job...and then you get criticised oh why are you wasting your time giving me a ticket for being on my phone" (Sax,2015).

"That came, from the crown, um and again you were taught...that...to take it to the...for a quick example like arrest, to arrest somebody you were always taught that you were taking somebody's liberty away and that was quite a powerful tool to have, and you only invoked that, on an absolutely necessity, if need be, if you could um...find another tool before you got to that point then you choose that...um...so it made you, hence why the policing by consent was very important because it put you in a position where, Joe Public did not have that, that authority, to use that, power, and to arrest and as I said to arrest somebody um, you have then got, control on that person......well the definition I cannot remember the definition it does actually talk about the crown etc...you are a crown public servant blah blah blah..but that is the first definition, which I think...well I am pretty sure, that every Constable learnt. The crown would ultimately be her majesty the queen but ultimately through laws and statues and the houses of parliament"(Thomas,1974).

From these 10 participants, only 3: Jill, Sax and Thomas made any explicit link to the public or to policing by consent. This raises some interesting considerations about perceptions of self-legitimacy. On one hand, there must be merit in the argument offered by Bottoms and Tankebe (2013, p. 62) to the extent that "power-holders cannot and should not be expected to carry out their daily work with reference only to current public opinion and responses".

Jill makes this point expressly clear *"I think it is often interpreted to be one that just carries out whatever anybody wants, that is not what a servant, a public servant is"* However, some confusion occurs when Jill seeks to expand her explanation *"because at the end of the day, we serve the queen we do not serve the member of the public, we deliver the service by consent".* Bottoms and Tankebe (2013) were more supportive in their explanation whilst theorising that power-holders should be protected from constantly referring to the opinions of their audience, whilst Jill's response is more authoritarian and to an extent, ambiguous. On one hand, Jill explains that the police "serve the Queen and not the public", but she then suggests that they "deliver the service to the public by consent". The distinction seems to be in her use of the words 'serve' in deference to the queen and 'deliver' a service to the public by consent but with no deference to them. It is a point which appeared important to Jill and has the capacity to alter her self-perception of legitimacy.

The position of the police as crown servants is, then, one which is worthy of further reflection as is the ancient relationship between the police and Justices of the Peace as it may provide at least a partial explanation of the participants self-perception of legitimacy but also the extent to which this ancient history continues to inform policing practices today (See also: Dixon, 1997; Melville,1901;Pike,1985). Arguably, this is not seen by all to be a positive factor and the following extract from George is used to illustrate this fact:

> *"Um...[George exhales] policing is like...the masonic clump, in 1998, it was very much, we will do policing unto others in the way that we determine, so our rule book it is our game plan, we are the thief takers. We will go and deliver policing, that is why I used to pick up...people pre-PACE because they were the...known felons and they would go 'Oi Billy get in the van there has been a theft round the corner that is clearly you'...come in and then, lock them*

> *up and get a confession, that is the way that they did it. You know, we are in a very different place now and there is a lot more kind of, of this principle of policing by consent thrown around as kind of a...you know, kind of an overriding principle. A lot of legislative changes, human rights, NDM [National Decision Model], things that sort of, kind of affected a lot of the culture change, but I think you know we have, we have been employing a lot more people and getting rid of, not saying you are the old guard but, the, a lot of people who thought in the old ways, the NARPO [National Association of Retired Police Officers] club, you know they....they loved the old pseudo militaristic ways of working and they, when they come to public meetings with me they can still harp on about the good old days or whatever, they were not the good old days in my, in my book because actually we are in a different cultural time at the moment, when policing moves slower than the pace of change of society, but it still moves faster, then a lot of other institutions and we still need to give ourselves credit for that so"* (George,2006).

Here, again, George illustrates his perception that the history of policing remains in the attitudes and practices of the present, in the context in which he serves, and in the sense that MacIntyre (2012) emphasises it in the concept of a tradition. George alludes to perceptions of authority and practices from his experience in 1998 which were less informed by public consent and more by right, when he states, "we will do policing unto others in the way that we um...we determine, so our rule book it is our game plan we are the thief takers we will go and deliver policing*"*. This is not the language of procedural justice, moral alignment and legitimacy in the sense that it has been discussed by reference to Tyler (2006); Bradford and Quinton (2014) and Jackson *et al* (2013). However, it is similar to the perspective offered by Jill and cited earlier in this section. It is also a perception of authority which is in significant contrast to that which derives from seeking out the consent to exercise legitimate authority in the sense that Beetham (1991) conceives it and also as it is expressed or critiqued in other literature (Bottoms & Tankebe, 2012; Bottoms & Tankebe, 2013; Jackson, et al., 2012).

As stated earlier in the thesis (ibid, p.10-14), the history of policing in England and Wales can be traced back to the Anglo-Saxon and Norman periods (Emsley, 1991; 2010; Melville, 1901; Pike, 1985; Rawlings, 2002; Reith, 1948). The extent to which these early influences on policing practices are present today have now been explored and aspects of this history are clearly evident in the narratives from the participants as they are presented in this chapter. It must be stated that none of the participants articulated any informed link to this history other than George, who highlighted how until recently, policing has been conducted as it always has been, and he used the police museum as a physical manifestation of this. It is, however, an important indication of how history has informed the evolution of modern practices in the sense that MacIntyre (2012) alludes to. In particular, the participants clearly identified in some sense with what Pike (1985) argues to be the independent status of the Office of Constable with significant autonomy and in a unique constitutional position.

Significantly, it is then, the oath of allegiance which to a newly recruited police constable "reaffirmed his service to the Sovereign and his fidelity to the law" which emphasises the constables impartial discharge of his duties "without favour or affection malice or ill-will" (Pike, 1985, p. 156). It is clear that within the narratives, the participants still sense the importance of this and there are reasonable grounds for this as conceptually, their independence was later upheld in a Royal Commission on Policing in 1962 and in the subsequent Police Act 1964 (Pike, 1985). In particular, the commission held that there is "no relationship of master and servant as between a police authority and a constable or as between the Crown and a constable" thus reinforcing the

independent nature of the office of constable as not one of servant (Pike, 1985, p. 156). This had the effect of demonstrating what Loader and Mulcahy (2003, p.259) call "overt governmental support for the English way of autonomous and local policing" which it is argued here, reinforces the participants perception of their independent status. Therefore, what is important here to the perceptions and understanding of police officers is the extent to which this history, and the reality that constables still swear an oath of allegience to the Queen, impacts upon their self-perception of legitimacy. Particularly, as this oath of allegiance was retained in statute law as recently as the Police Reform Act 2002.

Unfortunately, only an intimate knowledge of this history or teaching of it, would reveal in addition, the root of policing as being vested in the community and the responsibility being held by all by mutual consent (Melville, 1901). Whilst the participants have not demonstrated any particular knowledge of this history or any teaching of it, it can be reasonably anticipated that some of this information will have been passed on by oral tradition through generations of police officers as part of the folklore of their practice and is, as MacIntyre (2012) argues, part of the living tradition they inherit. Significantly, there is some evidence of its importance to the police service in a Police Federation pamphlet which highlights the unique constitutional position of 'The Office of Constable' and how it forms the bedrock of modern day British policing (Police Federation of England and Wales, 2018). The motivation for producing the publication is not clear and it cannot be stated with certainty how widely it has been read. However, as the Police Federation is the staff association for police officers from the ranks of constable to chief inspector, it is likely to have been

widely distributed (Police Federation of England and Wales, 2018). It should also be noted, that although the document is written as an informative pamphlet for the public and the police, it cannot be regarded as an authoritative commentary on police history and it is not cited as such.

Importantly, any knowledge by the participants of this history, however partial or complete, presents the beginning of an alternative perspective on self-legitimacy which is to an extent, contradictory to the weight of the literature on the audience perspective of legitimacy and procedural justice as it is more widely known (Bottoms & Tankebe, 2012).

Beetham (1991) too, places great emphasis on his assertion that for power holders to claim legitimacy, also requires citizens to express their consent to the power relationship. Policing by consent would be the most relevant example of this. However, conceptually, this also, seems to be at odds with the participants narratives as they place much reliance on their position as crown servants and their allegiance to the Queen and the rule of law, and not in their relationship with the public. Jill made this point clear in the earlier extract. However, the first category in Beetham's (1991) formulation, also suggests that legitmate authority requires a legal basis according to established rules. This, he claims, forms the starting point of his analysis (Beetham, 2013, p. 20). This is wholly consistent with the participants own perceptions. For example:

> *"the authority that came with that, which came from statute law or common law…the Queen..well it was the law. I had sworn an allegiance, I had taken the oath for the office of constable" (John,1966).*

Beetham (1991) recognises the importance of this oath by suggesting that one

way to expressly show consent [to power holders] is to swear an oath of allegiance, such as the oath sworn by police officers to the Crown. However, in this sense, this would only legitimise the participants perception of the authority of the Crown and as discussed here, this may be misleading. There are, however, other authorities which may provide support for the participants explanation of their authority and by inference, their self-legitimacy. These arise as a positive obligation towards the law and from the literature on legal positivism, but can also be found in accounts of the moral justification of policing (Dixon,1997; Kleinig, 1999; Raz, 2009). It is significant that when participants were asked about policing by consent or justifying their own legitimacy, for many, their knowledge of either concepts was arguably-absent, inconsistent or ill-informed.

For example: the first narratives are provided by Laurie, Thomas and Christine who all joined the police service during TP1:

> *"that is an interesting one because I think...the general...ethos was we were policing by consent in the xxx, so it was not that, you went out of your way to see, how many people you could nick or prosecute, it was about you went out and saw, what you do and you help people, steer them in the right direction, kept the waters all calm, and everybody had an easy ride, and I remember three Sergeants saying to me and I cannot I cannot, will not quote their names, but one of them said to me when I first went on a xxx, I am Sergeant X...this is Sergeant Y and this is Sergeant Z... and our, our sort of...hobbies are, um, playing snooker...um drinking and women, and the more busy you make us...the less time we have...to, follow these chosen pursuits...and they were all older guys, who had obviously had a lot of military service, and I thought oh...ok (Mark: Uh-huh) got the message, you know, do not make yourself too busy and everything will be fine because bearing in mind we were on a two year probationary period, we could have had our service dispensed with any time" (Laurie,1970).*

In the extract above, Laurie conceives policing by consent as low profile, maintaining the status quo, not being overbearing and like a ship, maintaining

an even keel:

> *"Um policing by consent was where...you...were...um...placed in the...a very different situation to...members of the public and more so than say somebody like in the armed, forces...and that you were a public servant, but more so in the public role, and that public role, you police by consent and by policing by consent which I think...hopefully still applies is that...the general consensus of the population um...expects...a high quality...police force although they call it police service and...and that is what we should...provide and...and...that consent is...obviously through the realm, but through every member of society within this county"* *(Thomas,1974).*

In the extract above, Thomas provides a vague explanation of policing by consent as providing a high-quality service to every member of society.

> *"Um, what do I intuitively I think it means um...um...engaging with, it means engaging with people um...to...to try and get an atmosphere of everybody, not just police officers, but everybody, policing...um, and being responsible for, their actions, being responsible for...um...you know...other people's actions you know in a way, so it is not just seen as the public and the police (Mark: Uh-huh) but it is, it is everybody together"* *(Christine,1981).*

In this extract, Christine emphasises the importance of community involvement in policing, but without any expressed notion of consent. The following extracts from Simon, Veronica and Sunny suggest that those participants who joined in TP2 during a time when policing by consent has been more widely discussed, has not enlightened police officers any more on this subject:

> *"I would say no to understanding because I...certainly it is a phrase you hear...but I cannot ever recall someone sitting down and saying this is what, you know the Home Office or whatever...definition of policing by consent, I think people are left to make up their own, definition (Mark: Ok) which is, you know, law is, um...you know if it if it fails then er...um you know the consequences can be quite, I would like to think most police officers, it is the sort of thing you probably do subconsciously, I would like to think (Mark: Uh-huh) because my understanding of policing by consent is you have got a job to do and if you explain to people why you are doing it um, they will, if you are reasonable to them they will be reasonable to you (Mark: Uh-huh) it is probably totally different to what other*

people's understanding is but I cannot ever recall someone saying to me, here is the definition of burglary, here is the definition of theft, um policing by consent here is the definition. I do not ever recall that" (Simon,1993).

"Yes in the first week we sort of focussed um a lot around, Sir Robert Peel and the Peelian principles and how that has sort of shaped modern day policing and how we are going to take that and again move forward but still keep them core principles? And again, I think it has tapped into the, we mentioned earlier about victim focussed and that sort of thing you know, you know always sort of doing best by what the public would expect...but remaining within legislation law and powers and all the rest of it" (Veronica,2015).

"Policing by consent...oh I cannot remember that...I have heard of it though, I have heard of it, but if I heard it [in training] I am not sure" (Sunny,2015).

The extracts presented above from participants who joined in both time periods (TP1 and TP2) seem to be lacking any clear conceptual insights regarding policing by consent. This, coupled with earlier extracts from narratives which provided very clear insights regarding the source of their authority, seems to demonstrate a clear distinction between the audience perception of legitimacy and that of the participant. Further reflection on the moral justification of policing and of legal positivism will highlight why this may be so.

Earlier in this thesis (Ibid, p.29), Locke [1690] was cited through the lens of Kleinig (1999) as a means of theorising moral justifications for policing which could be used to support or negate participants perceptions of their own legitimacy. Arguably, Locke's suggestion that - to avoid conflict with others born in a state of nature, would require citizens to voluntarily cede some of their natural rights in an agreed social contract bound to government - can only provide a partial explanation for the granting of consent by citizens to executive functions such as policing by consent, and a positive obligation

towards the rule of law. Importantly, none of the participants have made any such claim or any knowledge of this authority.

Kleinig (1999, p.18) offers another explanation which could be used by participants to justify their authority and, importantly, their moral claim to do so. He argues there are three types of authority: *de jure* which is positional and relates to someone being in authority, *de facto* as someone having authority, and finally, *expert* as somone who is an authority (Kleinig,1999). Incidently, Blackstone's Handbook for Police Students (2018, p. 39) makes specific reference to these sources of authority and all are linked in this text to their moral authority without any deference to the public, and this is important when reflecting on the participants perception of their own authority. However, none of the participants have made any explicit link to these forms of authority. Therefore, until now, no explanation has been provided from the literature to explain why the participants perceive the importance of their authority as being vested in or resulting from their allegiance to the queen *per se*. There is, however, another possible explanation which can be drawn from Raz (2009) and his work on authority and legal positivism.

Raz (2009) was cited earlier in this thesis (Ibid 46-8) as he provides a critical methodological analysis of the use of moral justifications of authority in the sense that Kleinig uses them. He suggests that formulations of *de facto* authority usually fail to identify the source of authority which would allow any explanation of how the authority was gained, and the circumstances in which the audience are likely to accept it (Raz, 2009). He regards formulations for *de jure* authority more favourably as they are usually expressed more clearly and this includes how the claims to authority are justified as distinct from

whether they can be justified (Raz, 2009). However, he goes on to discuss claims to authority as a way of justifying action and how problems may arise with arguments used to justify authority and further, how these justifications may not naturally flow from the arguments used to invoke them (Raz, 2009, p. 6). For example, police officers may use the *de facto* authority of a constable to perform an action because it is expedient to do so, eg. - routinely separating opposing fans after a football match to avoid conflict, but without any immediate threat of a breach of the peace and thus this is an exercise of *de facto* power rather than lawful authority. Diverting traffic around the scene of an accident to relieve traffic congestion would be a further example. Raz (2009) then advances the argument that for claims to authority to be legitimate or effective, they must define what is gained from this authority and what action can flow from it (Raz, 2009). Here Raz (2009) provides an account of authority which seems to be more consistent with the narratives concerning authority from the participants as they have been laid out thus far.

In the context of this thesis and the data being discussed here in this chapter, this is an important consideration in order to understand the participants' perceptions of their authority and the actions which they perceive will legitimately flow from it without any further requirement to consult those likely to be affected by these actions. This seems to be exactly what many of the participants alluded to. They have the authority invested in them from their oath of allegiance to the Queen and the constitutional office of constable. Save for paying lip service to the community, there is no need for community consultation and this further explains their imprecise knowledge of the concept of policing by consent. It also explains what George was referring to, although

he was clear enough in his own words (Ibid, p. 129) "we will do policing unto others in the way that we um...we determine, so our rule book it is our game plan we are the thief takers we will go and deliver policing". Here, Raz (2009, p.10) is supportive of this perspective "authority is a practical concept and practical authority incudes "who has authority over whom" as this influences what one ought to do. This is wider than considerations about the expectations of power-holders that they be obeyed or whether the expectation is formulated in established rules as Beetham (1991) argues.

Raz (2009, p.11) develops his argument by citing Lucas (1966, p.16) stating that his definition of authority is the best available explanation of authority as an ability to perform an action: " A man, or a body of men, has authority if it follows from his saying Let X happen, that X ought to happen". This authority is, according to Raz (2009, p.12), applicable to all forms of practical authority and it also has a bearing on the normative situation in so far that, if the authority says "let X happen, it is a reason for X to happen". The previous examples (p.90) of routinely separating football fans or diverting traffic away from an accident, apply here. Albeit, Raz (2009) further explains that Lucas does not make clear in his definition that the authority he conceived provides an authority over others to act. For this reason, it is further argued that a distinction should be made between authority over persons (this being the source of normative power) and authority to perform certain actions (Raz, 2009). As such, power-holders would make "power utterances" which have the effect of 'using power to tell a person to do or not to do'; 'by granting a person permission to do'; 'by conferring power on a person to do' or 'has the authority to do' (Raz, 2009, pp. 18-20).

The following extract from Ernest provides a powerful example of practical authority as he reflects upon his previous exercise of these 'power utterances' in the sense that Raz (2009) conceives them, and how they become essential in times of conflict. Particularly so, when the powers of the police are being called into question and on occasions, these powers are, as previously discussed, de facto rather than de jure or may even be questionable in law.

> *"There were, several public order not just the miner strike but, there were several issues there that you would go into because, you were...following a a directive to quell, a situation of disorder...and you are almost switching from a...you are switching from that policing by consent role, into a conflict role...and...and I think there are two, there are two very distinct phases in life, where one, policing by consent or, or delivery of a service by consent, actually, has to cease, because conflict, creates a different demand and ...I think there, the issue is how you actually balance the requirements of both, because you have moved out of one phase, into the conflict phase….this is when, I think, your strategy and your tactics come into being, you do not have to be...to crush people in doing so"* (Ernest,1965).

This extract was part of a wider narrative in which Ernest explored what he conceived as the phase where policing by consent has broken down and places the police service in conflict with the public. As an example, Ernest alludes to his experience of policing the miners' strike of the 1980s amongst other public order situations. He reflects upon how by 'following a directive' from the Home Office to police the miners' strike, it brought the police into conflict with the miners and with those who supported the mining communities. However, Ernest demonstrates how he gave thoughtful consideration to the exercise of practical authority whilst balancing the requirements of the directive with the needs of the striking miners without 'crushing' them. In doing so, he illustrates how the virtues of justice and fairness guided his decision making and his actions. It is recognised that policing public order situations is

a contentious issue. Using another example of the August riots in London and elsewhere in 2011 following the death of Mark Duggan, Morrell and Bradford (2019) also refer to conflict amongst stakeholders more broadly arguing that:

> The job of riot policing becomes impossible not just because the client base of rioters is seen as unpopular or illegitimate among a wider public, but because more immediate stakeholders (residents, business owners, politicians, "community leaders") have conflicting views about the nature of the problem confronting police…about what would constitute a satisfactory solution. (pp. 113-4)

This is the essence of what Ernest refers to within his own reflection.

Therefore, analysis of the narratives previously discussed suggests that the participants' would have no quarrel with Raz (2009) in so far that they believe that they have authority to act and that authority is conferred upon them from legitimate authority - their allegiance to the Queen, the rule of law and the independent Office of Constable. Their interpretation is also given support by Raz (2009, p.27) who argues that:

> the question of the legitimacy of authority takes the form that it was always assumed to take: an examination of the grounds that justify in certain circumstances regarding some utterances [of authority] of certain persons……there is no shortcut that will make such an inquiry redundant by showing that the concept of legitimate authority is incompatible with our notion of rationality or morality. (p.27)

This is an extremely important mode of argument on legitimate power which the participants could invoke based upon their own narratives.

However, to be clear, at this juncture, there is no suggestion that the participants have received any teaching on the work of Raz (2009) any more than they have received teaching on any of the literature which is pertinent to his thesis. However, as the thesis develops, it will become clear that within the narratives, the participants are also largely silent on an alternative explanation

of authority or any other pertinent information concerning policing by consent, procedural justice and legitimacy, and importantly, as suggested by Bradford and Quinton (2014):

> how this may have caused them to develop a different set of values and practices, and relationships with those they police, than individuals or units more certain of the authority vested in them and, consequently, of their place in the criminal justice system and indeed wider society. (p.1023)

Bradford and Quinton (2014, p.1024) also cite Bottoms and Tankebe (2012) who had already anticipated to an extent that police officers may root their authority "in their legal status and the widespread notion, within and without, the police service, that it is the 'thin blue line' separating order from chaos".

This perception can be discerned from the answer below, given by Simon concerning his role in the community, in his first few months of policing:

> *"Ok, so you have told me some lovely little stories about your first couple of months in the police, and the fact that you realised that perhaps you did not know as much as you should have done because you got it out of a book…but what did you learn about the community in which you were policing in those first few months?" (Researcher).*
>
> *"Very little...and, I mean I did go to meetings.. that was not what my role was, policing. I got sent to jobs, um, there was little bits of um, you know, stood on the [location], sorry not the [location] you know stood outside buildings, but I did not engage with the public, you know I was not sent out to see what the public perception is…. I was there to do police work" (Simon.1993).*

Here, Simon is demonstrating a clear distinction from police work as getting to know the community and attending community meetings, from an in-group cultural understanding of 'policework''; a term used to highlight the practical skill or craft of policing by 'patrolling' or 'beat bobbying' (See also: Loader & Mulcahy, 2003) or by protecting public space as police territory which involves standing

at certain loctions to make their presence known (See: Herbert, 1997; Holdaway, 1983; Muir, 1979). In this respect, the data provide more useful insights from the participants on what they learned through their initial training, what messages it conveyed to them, the influence it has had on their perceptions of moral alignment and of legitimacy, and how it may have developed their character.

4.5 Training as a Socialisation Process

It is argued by Morrell and Bradford (2019) that:

> One of the things that makes a virtue perspective especially relevant and helpful to understanding policing and the production of order is the role training plays in the life of police officers, in their induction and socialization into the ranks. (p.87)

This statement is extremely pertinent to this thesis and to the data which will now be discussed to make this point clear. However, in addition, it should also be made clear that this thesis has sought to make a further significant contribution to knowledge by exploring the development of the character of police officers from childhood through to adulthood, and the subsequent practice of virtues by them, which are directed towards excellence in policing. This will be developed in more detail in the following chapters.

Here, it is necessary to repeat a point that according to Macintyre (2012):

> a practice [in this case, policing] is never just a set of technical skills, even when directed towards some unified purpose and even if the exercise of those skills can on occasions be valued or enjoyed for their own sake. What is distinctive in a practice is in part the way in which conceptions of the relevant goods and ends in which the technical skills serve…are enriched by these extensions of human powers and by that regard for its own internal goods which are partially definitive of that practice. (p.193)

In essence, MacIntyre (2012) implies that the possession and exercise of relevant virtues are essential for human powers to extend the internal goods which are definitive of that practice, i.e. good policing. However, as this chapter continues, it will become clear that it cannot be assumed that these virtues are taught or developed in police training.

The following extract from Sunny who joined the police service in 2015 demonstrates that during his training, discussions on the practice of policing were evident, but not widely explored:

> *"Predominately, it was all textbook, but you know, like I say, we did have guest speakers, but we covered areas like the Discrimination Act and the Disability Act, so we had speakers coming in explaining how to deal with members of the public who have disabilities, but generally, within community integration and the whole different types of community, I think we probably had brief conversations about it but nothing like in a detailed way…like you know, this is what it is. You get, the basics, it was very, very basic information"* (Sunny,2015).

Sunny, demonstrated in his wider narrative a detailed and very heightened sense of community and an understanding of the goods which could flow from the police to the community if the practice of policing is developed further than just technical skills. However, he is also clear that these wider explanations were not covered and - of significant interest to this thesis - his own knowledge of these goods had developed from his life and faith prior to joining the police service (which will be explored further in chapter 5).

This extract from Sunny is important as arguably it demonstrates how 21st century police training, however well intentioned, is still missing the point in developing broader knowledge of the police/community relationship at a time when so much has been discussed and written about the importance of procedural justice and ethics in policing (See: Bottoms & Tankebe, 2012;

Bradford & Quinton, 2014; College of Policing, 2014; Mazerolle, Bennett, David, Sargeant, & Manning, 2013; Tyler, 2006).

MacIntyre (2012, p.193) is clear that "practices may flourish in societies with different codes; what they could not do is flourish in societies in which the virtues were not valued". The importance of acquiring virtue and then acting from it in the sense that Aristotle conceived it is clear in the preceding argument from MacIntyre (2012). This contrasts with any argument or theories of policing which assume that the process of acquiring virtue starts at the point of joining the police. This claim will also be developed further in the next chapter. It is also accepted that there are other theories which are more commonly used to explain the evolution of police conduct. Morrell and Bradford (2019) highlight how existing literature tends to concentrate on using police culture as an explanatory framework and the work of Chan, (1997), Loader & Mulcahy, (2003), Muir,(1979) and Reiner, (2012), highlights this fact.

This thesis, however, has concentrated on the development of virtue before and through practice in the sense that MacIntyre (2012) has argued. In a broader virtue ethics tradition, Morrell and Bradford (2019, p.87) are also supportive of this approach by reference to training being used to produce knowledge of police work processes that will become repetitive and 'habitual' and therefore a 'practice' in a sense that MacIntyre (2012) regards it. It is important however to distinguish between habitual action of this nature (taken by an individual who has already acquired virtue, then received further training and acted from it in the sense that Aristotle (c325 BC], (2009) conceived it) from habitual practices which arise from training individuals who have not yet acquired virtue in aspects of the law and role play, and who may be

misinformed by failing to understand the context or setting in which the practice is being used (See: Muir, 1979). The earlier extract from Sunny (p.105) is useful as a reflection this point.

As already stated, MacIntyre (2012) uses the concept of a practice in a particular way,to illustrate how practice is about striving to achieve standards of excellence internal to a practice, such as policing, and the need to develop the virtues of character to do this. Arguably, this includes striving to pursue and promote procedural justice as a specific good internal to the practice of policing and not as a stand-alone concept (Morrell and Bradford, 2019).

The following extracts demonstrate how initial police training with its emphasis on the rule of law and statute law provided further references in support of the participants own perceptions of authority arising from their oath of allegiance to the Queen and the authority invested in the Office of Constable. As Herbert (1997, p.37) argues "It is not just that the law is important to the police, but also that the police are of fundamental importance in the maintenance of the law". Conversely, the absence of enlightened training or emphasis placed upon the importance of policing the communities they would serve, had the capacity to minimize its importance and pass the responsibility for teaching it to the first officers who tutored them in the skills and craft of policing, many of whom may not share this viewpoint or may not have received any further training on it.

4.5.1 Learning the Law

These first extracts from Ernest, Christine, Margaret and Edmund, who all joined the police service in TP1, demonstrate how police training during this period was focused on uniformity and the importance of looking the part

(uniformity is to be expected and no further reference will be made to it) and then, learning the law. Their perceptions are wholly consistent with the other participants who joined during this period. There was no emphasis placed upon the importance of policing the community unless, as Ernest stated, 'it was taught by good peers' after the formal initial training period and during the tutoring phase. This point will be developed more extensively in chapter 6:

> *"again, in terms of ...my time...throughout the cadetship and throughout the probationary period..it seemed to be very much again about process, rather than...interaction with the community. So long as you knew what the law...required and what the law was in terms of its definition's - powers of arrest, so as long as you were able to administer first aid if something happened, so long as you can deal with ceremonial occasions and keep the peace, they seemed to be the overriding features of how, I was being taught...um...the social...and interactive skills...were there, I think to be learned...by you as an individual rather than you being influenced by others, if you were lucky enough to have a good mentor or a good tutor then, you would acquire them... [Training was] totally out of kilter I think in terms of the former [law] … [it] outweighed, anything else that you were taught about how to operate in the community you learned, for me I learned those skills, from...the good peers that I had and there was some very good peers (Mark: Mm) um as I say people who like me knew everyone in the community and er, worked hard to help people in the community" (Ernest,1965).*

> *"In training school well, the training school was, er you know was fine because everybody was in their nice stiff uniform, on their best behavior, and it was about learning the law, I do not think I honestly, was given any practical indication as to what was likely I was going to expect, this was about just about learning about...what the law was" (Christine,1981).*

> *"You were taught the law, you had to remember the definitions parrot fashion...so the law was your tool really, you needed to know...that because that is where your power is linked to in my view" (Margaret,1971).*

> *"I think learning the law really, probably was the main thing" (Edmund,1974).*

The extracts above clearly support Herbert (1997, p.37) in his assertion concerning the importance of the law to the police and policing. To an extent,

this is to be expected as the police service are, as he suggests, essential to the maintenance of the law. However, as Tyler (2006) and the raft of procedural justice literature suggests, the relationship between the police and the public is also an important factor in good policing and as discussed throughout this thesis, there is considerable empirical support emphasizing the importance of this relationship and the goods which flow from it. Unfortunately, the following extracts from Louise, Sunny and Catherine who joined during TP2 are used to demonstrate how to a large extent, training in the law continued to dominate police training until very recently:

> *"I mean we are told your powers of arrest under the law really…… Um...law...um the different offences, points to prove, um, and then we would have guest speakers, sort of on a daily basis coming from different departments, different support groups...and just tell us...the procedure of...how to deal with...different things" (Louise,2015).*

> *"Main emphasis was obviously the law aspect of it, you know they always mention like...follow everything by the book and you would be fine, but I think yeah up there a lot of teaching what the law is, what legislations are and so forth" (Sunny,2015).*

> *"Um...there was different parts, the first bit was the basic law in terms of theft, burglary, criminal damage assault and GBH...um evidence gathering, definitions of those offences, um, the sort of chain of evidence you needed to prove the offence it was always about proving the offence points to prove, um how to write a statement how to take a statement how to...preserve a scene and the exhibits and, you know if you did not do it right and you let the job down the whole case failed because you did not do something right you know you would have been, hung drawn and quartered, so you always had to make sure you did everything right and correct, by the book, the phrase by the book was often used, you had to do it by the book, or else if the case was lost at court because of you, you know you were in serious trouble so there was a lot of [emphasis on] that" (Catherine,1991).*

As articulated by all participants and using Catherine as an example, her training comprised of observance to the wording of statute law 'definitions', the chain of evidence, points to prove and 'doing it by the book' [being procedurally

correct]. She related this with a stark warning of the consequences of failing to do so, both for the prosecution, and for her personally. Arguably, it could be reasonably anticipated that initial police training or education would involve detailed references to the law, how to apply the law and some teaching on the rules of evidence. This would also include some training on the practical techniques of gathering evidence and preserving it lawfully. This point is well illustrated by Edmund:

> *" I found it was, I did not at the time...[laughs] it [learning the law] was a pain in the backside, because in later life, when you are, when you are on the street and you are thinking can I do this or can I do that, it comes back to you, and the definition comes back, and you say oh that is not a burglary that is a robbery or that is a theft, um, and it still does...but there was a lot of it, and your brain improves after a while as you probably, recall, and the first few weeks you are not used to learning that amount, and then you find you can learn whole pages" (Edmund,1974).*

However, there is no sense from the narratives that any of these teachings were placed in the context of using their discretion in the communities they would police and the importance of procedural justice in the context that it has been discussed throughout this thesis (See: Bottoms & Tankebe, 2012; Bradford & Quinton, 2014; Mazerolle, Bennett, David, Sargeant, & Manning, 2013;Tyler, 2003; Tyler, 2006).

The participants were most certainly taught law and procedure in a very defined way as Edmund alluded to, often by rote, but not in the sense that knowledge of equity or justice may require. George makes this point clear in the following narrative:

> *"it was entirely procedurally oriented um...so obviously a lot of, a lot of what we, we delivered, as a training package was, how would you deal with this scenario how would you deal with that scenario, what is the law round this, it is a very kind of, structured approach*

to learning...you know, but what we soon realised is when you get out on the streets there is there is an application of the grey space decision making...which they do not teach you, it is about you know, taking...a wider view it is not this tunnel view...and again that is part of the problem for us because actually we equip our officers to look at scenarios in a very linear way, and it, does it confirm to x y and z if so follow logic gate a, issue ticket, do you know what I mean, whereas actually...for me that whole, linear progression, incident to outcome, yes it is fine because it gives you some structure but actually that, within the, it is actually quite a grey diagram" (George,2006).

This example from George and others is crucial to this thesis, not just because it explains the participants self-perception of legitimacy, but also because of the potential consequences for the exercise of their considerable discretion when using their powers in the 'grey space' that he refers to. It also highlights the importance of character and the development of the virtues necessary to pursue justice fairly in this 'grey space' and with respect and dignity (See: MacIntyre, 2012; Morrell & Bradford, 2019). It is of significant interest that, as cited earlier, the College of Policing has sought to improve this situation by the publication and the emphasis placed upon the Code of Ethics and the National Decision Model (College of Policing, 2014). There is evidence in the data from Veronica, Louise, Sunny and Sax, all of whom joined the police service in 2015, that they received some teaching on this but once again, the extent to which it had been received or understood in a meaningful way by the participants is questionable. This is demonstrated in the extracts below from Sunny and Sax:

"Yeah so the Code of Ethics is a central point of our dashboard decision model which is obviously the whole into the honesty and integrity aspect of it, um professionalism...you know they are the core values of the um force itself and because obviously we are serving the public it is just a reminder of what the officers core values are and what the community expects from us...out there" (Sunny,2015).

"Like the law, so you have got the box of law, what you can and cannot do, so the legality, terminologies...the Code of Ethics, theft

and burglary, um, bribery...[?] um...NDM model again… there is certain things I could just read off the top of my head. I am not saying I am clever but there are certain things that were embedded, if you follow this model...then you are going to be ok...and it is true though if you follow the...NDM model if you start get out of a, assess, consider, identify, take action and then have an evaluation if you follow it then you are going to be ok, because you will start with something and if you follow the process you are going to come background and you are going to be fine" (Sax,2015).

There is no doubt that Sunny and Sax have received training on the Code of Ethics and the National Decision Model. However, the context in which they discuss these concepts - rolled out by rote - wrapped up with legal jargon and without any sense of meaning, raises questions concerning their understanding of them. The use of phrases such as 'box of law', and 'dashboard decision model' suggests knowledge of process, but not meaning. Other participants who were still serving at the time of their interview shared similar experience of the Code of Ethics, as demonstrated in the extract below from Catherine:

"I know they have published a Code of Ethics, I know that we have had a leaflet on it, I have not had time to read it, there might be an NCal [online training package] on it" (Catherine,1991).

In the extract above, Catherine suggests that for her, any training received concerning the Code of Ethics was by way of an online training package and the opportunity to read a leaflet. The significance of the Code of Ethics seems otherwise unimportant to her. There is no suggestion that this is any way the fault of Catherine as her lack of knowledge is wholly consistent with the findings of the Home Affairs Committee Report (2016) which criticised the College of Policing for failing to embed the Code of Ethics across policing in England and Wales.

It has now been illustrated by reference to these participants how police training, from their perspective, has concentrated solely on the importance of teaching

the law and, to an extent, save for some role play, at the expense of placing the practical application of the law in the context that procedural justice would require. Ernest, for example, who joined during TP1 was very clear that practical teaching on the application of the law was left to their peers to be developed in practice. However, as already argued, this emphasizes the importance of the acquisition of the virtues necessary to do so for the proper development of the standards of excellence internal to policing (See: MacIntyre, 2012).

This is wholly consistent with this thesis as it has developed thus far and in particular, in the police deference to the rule of law in the office of constable (Dixon, 1997; Pike, 1985; Raz, 2009). Here Dubber (2005) and Dixon (1997) make some interesting observations. Firstly, Dubber (2005, p.159) argues "There lies considerable danger in failing to appreciate the nature and scope of the power of the police". Whilst Dubber (2005) does not make this comment from the perspective of the police, it is argued here that it is highy relevent to them as this power lies in their considerable discretion to exercise the law and further, these laws are taught to them in a very narrow and procedural way but without the important context of procedural fairness and procedural justice. Seemingly, this context is there to be learned in practice from more experienced officers and this is also a matter of significance to this thesis. It is of further significance that, Dubber (2005, p.158) recognised that police power is "analagous to Locke's federative and executive powers" and the separation of powers as citied earlier (ibid,p. 13). He highights how the exercise of this power can be obscured and difficult to challenge. Dixon (1997) also points out the attractiveness for the police to reinforce the importance of the law as a means of distancing police practices from political inteference or deference to any other

authority, such as the public from whom their legitimacy may otherwise be sought. As already discussed, this could also have the effect of reinforcing the participants authority as arising from their oath of allegiance to the Queen and the independent Office of Constable and the data presented here suggests that, from the moment of joining the police and throughout their training, they are given some important messages which seem to reinforce these beliefs[12].

Conclusion

In concluding this chapter, it appears from the data presented and discussed here, that the tradition and historical practice of policing has impacted upon the participants perceptions of self-legitimacy by presenting the case that their authority and power is vested in the rule of law; the importance of their oath of allegiance to the Queen and the independent status and consitiutional position of the Office of Constable.These perceptions are largely inconsistent with the contemporary literature on legitimacy and how practicing procedural justice could bring considerable benefits to the police/public relationship. Much of which has been discussed throughout this thesis. It has been demonstrated in this chapter how some respondents made specific mention of the historic practices of policing and how these continue to inform contemporary policing practices today, although, not always in a positive way. This is a matter which was anticipated by Bottoms and Tankebe (2012) .

However, this is not to say that police officers do not have some notion of the goods internal to the practice of policing or indeed, the means to acquire the

---

[12] It is worth noting that since the participants joined the police service the College of Policing has introduced the new Police Education Qualification Framework (PEQF) through which new recruits may gain a better understanding of the Code of Ethics and ethical decision making (College of Policing, 2016)

virtues necessary to achieve the standards of excellence required to deliver these goods and to extend the practice of policing over time (See: MacIntyre (2012, p.187)*.* There is evidence in this chapter that 15 of the 16 participants identified with a positive attitude towards authority prior to joining the police. Whilst this attitude was not expressly linked to a moral alignment with policing *per se,* it was in pursuit of some of the values which 'Good Policing' should deliver - such as justice. It is significant that the participants also identified with other pro-social activities associated with societal norms - for example, positive relationships with their parents, school, religion, childhood friendships and membership of the scouts or other sporting activities. Further, George and Ernest were able to locate their perceptions of authority within the virtues of justice and positive community activities and in addition, Ernest distinguished justice from the vice of injustice through the medium of unfair punishment at school. There was also evidence in the data, for example, from Sunny, Ernest, Christine and Elizabeth that they possessed a strong desire to do good in the community and this had motivated them to join the police service whilst in contrast, Elizabeth also highlighted how structural changes in policing had the capacity to frustrate police officers engaged in contemporary policing practices to deliver the very goods they had joined the police service to do. This is a point also made by Morrell and Bradford (2019).

In chapter 5, the narrative data will be further used to elucidate the participants' perceptions highlighting how through membership of communities and through experiencing the practice of the pro-social activities mentioned above, the participants developed a number of virtues which helped them overcome any difficulties which may have arisen after they joined the police service, and also

helped to guide them through the many moral dilemmas which faced them during their police service.

Chapter 5

The Development of Character and The Virtues of Good Policing from the Unity of Human Life and The Tradition of Policing

> *"For the story of my life is always embedded in the story of those communities from which I derive my identity. I am born with a past; and to try to cut myself off from that past, in the individualist mode, is to deform my present relationships. The possession of an historical identity and the possession of a social identity coincide……notice also that the fact that the self has to find its moral identity in and through membership of communities such as those of family, the neighbourhood, the city and the tribe does not entail that the self has to accept the moral limitations of the particularity of those forms of community"* (MacIntyre, 2012, p. 221)

5.1 Introduction

In Chapter 4, the participants perceptions of the historical development of the practice of policing were explored, and the thesis advanced by drawing upon narrative data which identified the perceived importance of the participant's authority and legitimacy being vested in the 'Office of Constable' and the 'Rule of Law'. This was considered in the context of a practice as MacIntyre (2012) conceived it with its emphasis upon the history of the practice [policing]; the importance of tradition to a practice; the pursuit of goods internal to that practice; and finally how the individual's search for his or her good is generally and characteristically conducted within a context defined by those traditions in which the individual's life is a part (MacIntyre, 2012).

This thesis further offers a new contribution to knowledge by drawing upon some of the findings from chapter 4 and developing them with further insights into the participants' beliefs and perceptions concerning the *telos* of their

practice. This highlights that, whether or not the participants are cognisant of the literature on procedural justice, moral alignment and legitimacy, or whether they have developed different self-perceptions of these concepts, the development of their character prior to joining the police service - from elements of childhood socialisation, experience of justice and injustice, involvement in religious practice and in their communities at an early stage of life – has heightened their moral awareness and development and increased their understanding of the goods which may flow from '*Good Policing'*. Critically, however, as will be discussed throughout this chapter, they may not relate this moral awareness to a quest for moral alignment *per se.*

Aristotle [c325 BC], (Ibid, p.7) considered there to be an explicit link between character and moral conduct but he argued that first, the actor must acquire virtue and then act from it. The assertion being made throughout this thesis by reference to MacInyre (2012) is that character is developed over the course of life, and is an artefact of the unity of human life and not a product of police training. However, it is accepted that some aspects of police training may complement the development of the character of police officers (See: Morrell and Bradford, 2019). This is a matter which is developed throughout this chapter. However, initially, the narratives will be explored to highlight how the participants perceive the possibility of a moral alignment between themselves and the communites they police as being a complex and mostly inconceivable task for them. Further, the data reveal some scepticism amongst the participants concerning the extent to which these communities are morally aligned with each other.

5.2 Moral Alignment and the Concept of Shared Norms and Values with the Community

In the introduction to this thesis (Ibid, p.10), Tyler (2006), was cited to illustrate how research on the subject of procedural justice and legitimacy has highlighted the importance of the police behaving in such a way that they encourage the public to develop a normative relationship with them - based upon trust, confidence and shared values and beliefs. This form of moral alignment as seen from a public perspective has been defined by Jackson *et al* (2013, p.13) as "a sense of shared moral values and group solidarity with the police. Based on a sense of shared moral purpose assessments that the police are pursuing and defending right and proper values".

However, this raises questions concerning the extent to which these moral purpose assesssments and group solidarity translate across diverse social groups and communities and also to the police. Jackson *et al* (2013) argue from the perspective of diverse social groups, that they do. However, little research has been conducted to consider the extent to which the police service (if at all) consider this normative relationship to be important to them and even if it is, what difficulties may arise from attempting to develop it (See also: Bottoms and Tankebe, 2012). This thesis has sought to address this deficiency in knowledge and as, an example, the following extract from Veronica highlights some perceived dificulties. Veronica, who joined the police service in 2015, expressed her belief that the public perception and by inference, their expectations of police practices, are a fluid concept and are, by no means, informed by 'group solidarity' or shared 'moral purpose assessments'. It will be

demonstrated that Veronica is supported in this belief by many of the participants:

> *"I think it depends what, who you talk to member of [the] public wise. It might be a generation thing. If you talk to maybe an older generation, old member of the community, they may say the practical the hands on, the getting stuck in the catching [of] the bad guys. If you speak to somebody, you know, maybe younger generation or...um someone that is from a different background, I think it ultimately depends on who you are speaking to"* *(Veronica, 2015).*

This short narrative from Veronica highlights the conceptual difficulties that most participants have with any notion of a moral alignment between the police service and the communities they serve, or any need to pursue it. Evaluation of the data suggest these difficulties appear to be a reflection of their lived experience of policing diverse communites, with all the goods and ills that brings them throughout their service. Ironically, however, the data also reveal the importance that the participants place upon the virtues of honesty, fairness, and an empathy with the community - all of which are wholly consistent with the debates concerning legitimacy and procedural justice (See: Jackson *et al* (2013; Tyler, 2006). However, in the absence of any knowledge of these debates being expressed by the participants and contrary to the assertions of Tyler (2006) and Jackson *et al* (2013), it will become clear that the participants do not recognise the benefits that these normative relationships could bring them in the sense that the literature suggests. This is despite the importance that the participants place upon the relationship between virtue and practice. The significance of this finding can be found in the frequently cited work of Beetham (1991).

Beetham (1991,p.22) argues that citizens are more likely to defer to power holders, such as the police, if they identify with them as 'rational moral agents' who behave in such a way that they develop practices which are mutually beneficial - thus appealing to their own moral sense. Arguably, it may be problematic to citizens if they discovered, as the data presented in this thesis suggests, that the police service does not place the same importance on this relationship. Especially so, because Beetham (1991) also argues that as a minimum standard, there are essential ingredients of legitimate power. These being: the power holder has legal validity; the power holder shares norms and beliefs with those subjected to the power; and there is evidence of expressed consent granted to the power holders by those subjected to the power (Ibid, p.9).

Whilst this perspective on legitimate power is not written in the context of policing per se, it is a useful framework through which the narrative data can be interpreted and discussed. The legal validity of policing was considered in chapter 4 and whilst there is little doubt that the police service, as a matter of fact, have legal validity, some tension was identified within the data concerning where their authority and, by inference, their perceived legitimacy is derived from. This was anticipated by Bottoms and Tankebe (2012) in their theoretical discussion on procedural justice. However, identification and further reflection upon this tension may also provide a partial explanation for the problematic nature of moral alignment when seen from the perspective of the police. Put simply, contrary to the minimum standards set out by Beetham (1991), they may not place the same importance on it if their perceived legitimacy derives from an authority other than the communites they police.

The first extract from Simon presents such an alternative perspective which highlights a cautionary note concerning the possibility of a moral alignment between the police service and the community, and some cynicism concerning the extent to which the community shares norms and values with each other:

> *"I think perhaps it is...social? You only have to go up the pub on a night time and people are, they do not all have the same opinion [concerning] what has happened in, you know to footballers, they have not got the same opinion [concerning] what has happened in the American election. You know, people have different...opinions...and some are quite vocal, and I think if people have got different opinions, when it comes to policing they will request or desire certain things from the police and we are never going to match all of them, their expectations. I think we have to sometimes pick the more, what we regard as the more serious ones, bearing in mind they probably do not regard that as the most serious ones. Because, if all they see is [problem] parking and [fouling of public spaces by] dog shit, that is what affects their lives and that is what they will deal with, or they will expect us to deal with. I think people are different, and you know within [Village] for example, you have got, Lord [of the manor] and you have got social housing, you know, all within 200 yards of each other. You have got people with disposable income, you have got people going out [committing] burglaries on a night time, all within 200 yards [of each other]. You know, you have got different ethnicities you have got black people, white people, Italian, Spanish, Portuguese, all got different upbringings, and all got different perceptions of the police. I mean Chinese, I used to work at xx, the Chinese people, students there, you know the people that worked for xxx or whatever were scared shitless of the police. I got asked once...at xx, I used to give a very basic input to...people coming over from India. I said, welcome to England blah blah any questions um...one lad put his arm up once and said, how much um...do you charge to take the tickets away [Simon laughs] torn up you know, bribery. I said I am afraid you are in Britain now; we do not do that here and they were absolutely amazed...so people's values are different, their perceptions, their knowledge" (Simon,1993).*

In this extract, Simon (TP2) expresses a commonly held belief amongst the participants that moral alignment with the community is, conceptually if not practically, too broad. This was not a concept which the participants expressed any prior familiarity with and as such, their perceptions may appear cynical.

However, these perceptions also reflect their significant experience of policing diverse communities with equally diverse norms and values. Bottoms and Tankebe (2012. Ibid, p.36) also foresaw conceptual problems with the exercise of procedural justice amongst communities which are fluid in their identity. Simon explains, from his perspective, why this is so by reference to many examples including the diverse attitudes within communities towards law breaking behaviour; ethnicity; social status and how increased numbers of foreign nationals living in the UK have experienced diverse policing practices in other jurisdictions. In essence, how communities are formed by citizens from a wide social spectrum, each with their own norms, values and expectations and equally diverse notions of police practices.

It seems that this narrative from Simon regarding his perspective on the communities he policed, does not readily reflect the definition from Jackson *et al* (2013). To do so to gain maximum benefits would require the police service to actively pursue, where possible, forms of group solidarity based upon the shared moral purpose assessments - previously discussed. Equally importantly, this perception from Simon is also in conflict with the requirement for evidence of shared norms and values between power holders and their audience within the minimum standards of legitimate power (See: Beetham, 1991). A potential problem arises if Simon's perception is mirrored widely within police practices; the possible outcome being that they will not place any importance on the potential benefits of pursuing these requirements of legitimate power and procedural justice in the sense that it has been discussed throughout this thesis.

The next extracts from John and Edmund, are supportive of Simon's account to the extent they also fear that even on the occasions when police practices

are conducted properly and with the best of intentions, their actions may still be viewed with suspicion by the community. However, in contrast, they also highlight their perceptions concerning the good which can flow by correctly doing a 'good job' for the community and by exercising the virtues of fairness and honesty in doing so. They also demonstrate some awareness of the long-lasting effects which may flow from it, albeit, they also perceive that the inverse relationship may be true:

> *"Because people are different...and, you get some people who love the police, others that hate the police and, even if they [the police] did things by the book and did it right they would still be wrong. You have got people who, and this is what I think is important is...sometimes...they may only want you once...and it might not be for anything...serious...in your eyes, but in their eyes that is the one and only time they are going to meet a policeman and that is the impression that they, they form of you. You do them a good job and you deal with them correctly, then, you are the 'bees knees' forever more, but if you do not deal with them correctly then, you would probably find that in future, they will be quite alienating towards you" (John,1966).*

In the extract below, Edmund promisingly suggests that, with some exceptions, the police can please most of the community by ethically 'fair, honest and straight' policing:

> *"You cannot please all the people all the time, can you? You can please some of the people all the time or whatever. I think pretty much so, you can please 90 odd percent of the population, I think.....as long as you are fair and honest and straight about it...but [there will] always be somebody who, does not agree with what you have done, what you have said...and particularly when you get involved in what should I say, neighbour disputes and things like that, and you...because, somebody, because you have to tell somebody that they are, their behaviour is anti-social ...and they do not like it" (Edmund,1974).*

However, whilst Edmund highlights the importance of exercising the virtues of good policing, he also appears to suggest by his reference to 'pleasing the people' that the public are satisfied with the police practices if these virtues are

exercised. He does not extend his narrative to developing any understanding of public norms and values or any requirement to foster group solidarity, engage in moral purpose assessments or seek out their expressed consent to police them (See: Beetham, 1991; Jackson *et al, 2013)*. This narrative appears consistent with the narrative of George (Ibid, p.65) highlighting his belief that the police perspective of policing was doing unto others in the manner that they determine and how their rule book, is their game plan.This perception was commonly held amongst the participants.

The following extract from Ernest, however, provides an alternative insight based upon his perception that, with some negotiation concerning a shared sense of moral purpose, a form of moral alignment between the police service and the community may be possible albeit, transient. He also supports the perception of most participants concerning the public not being a morally homogenous group:

> *"[The] community perceive those [minor acquisitive offences] as you know, 'what is the fuss?' it is just sharing wealth - theft, receiving and um, burglary. To go then in to that same community and ask questions about indecent assault of a child or a rape, are completely different code of conduct from the public, who say, we will help you get him. We need to find who this person is. So, there is absolute community support for that particular, issue, whereas on the other, there is absolute apathy or disinclination to help. So, I think and that is...that is a community, that is a type of community. I think when you also put it into minority ethnic groups as well, you will of course have different moral codes there, why should, why should travellers have to pay for council tax? which they do not. You know, why cannot they live a free life whereas others might say hang on a minute, they should be paying, contributing and we should not be paying for them. Ethnic communities that, want to er...to have cannabis, others that do not. So, I think, there is, they are not a [morally] homogenous group, and thereby, the tensions will always be there for a police service that is trying to actually address the needs of the community. It is addressing the needs of a particular community rather than trying to address the needs of society"* (Ernest,1965).

Here, Ernest, draws a conceptual distinction between communities and society which appears to be insightful. Sociologists, too, generally regard society as a national unit i.e. 'British Society' - comprised of multi-level structures (Fulcher & Scott, 2011). However, society is usually distinguished from communities which are characterised as smaller, less formal units (Fulcher & Scott, 2011). Ernest refers to the peculiarity of these communites within his narrative, in the mode that Simon has also done, when he draws a distinction between the attitudes of the community in terms of the nature of different types of offending behaviour. In essence, how on occasions, the community moral compass swings in support of helping the police service, and by inference the community, to catch alleged sex offenders - but less so for theft and receiving stolen goods. This example may constitute the essence of the moral purpose assessments that Jackson *et al* (2013) allude to and if so, on these occasions, it is conceivable that the police and the public could be morally aligned. However, within the wider narratives of the participants, there remained some cynicism that these occasions would be an exception and not the rule. John (TP1) also makes this point very clearly in the extract below:

> *"Well they do not do they [share norms and values]? You cannot have a complete community with the same moral code, they can have the same culture...and they might, collectively give the impression that they have got a moral code, but individually they are not going to, human nature says that. [They have] all got different standards haven't we? I think that, generally...the general public want...integrity and that, but if we were all of the same, you would not need the police...would you?" (John,1966).*

In this narrative, John reflects the scepticism shared by most of the participants concerning the extent to which communities are homogenous and share norms and values and he finishes by unwittingly, echoing an observation cited earlier

(Ibid, p.19) from Reiner (2012, p.69) "if there was a universal consensus about norms, values and appropriate modes of social behaviour, there would be no need for a police force". Albeit, he also highlights his perception that the public value the virtue of integrity in policing and he expressed some understanding of the importance they place upon this.

It seems, then, that until this point, the data presented from the participants is inconsistent concerning the perceived importance of, or indeed the perceived possibility of, a moral alignment between the police and the public in support of improved relationships between them. There are many more examples of these inconsistencies within the wider narratives. However, as cited earlier (Ibid, p.18) by reference to Kleinig (1999) "unlike the law which is governed by jurisdiction, morality is generally considered to be more universal." As such, he argues, it would be unwise to ignore how the geographical, historical and cultural context of a community can inform moral practices and this, in turn, is likely to inform the context in which police ethics are shaped (Kleinig, 1999). This statement is wholly consistent with the importance that MacIntyre (2012) places upon an understanding of the relationship between tradition and practice. If this assertion by Kleinig (1999) has any relevance to improving police practices in support of good policing, searching for understanding should become an important feature of police practices within communities, both to improve their practices and to reinforce their legitimacy. However, this quest for greater understanding appears to be largely absent in the narratives discussed thus far. Beetham (1991) argues that, in the context and debates concerning the legitimacy of power:

power that is not legitimate offends our moral sense; in an underlying logic common to moral argument everywhere, however diverse its actual content; and in the needs that are shared by all societies, however varied the social arrangements and organisational arrangements by means of which they are met. It is these common features – of human beings as rational moral agents seeking to ensure that their social arrangements meet their needs and conform to their moral sense – that provide the underlying structure to legitimacy everywhere.(p.22)

In the narrative below, Ernest seems to appreciate the importance of this statement from Beetham (1991) in terms of the police seeking out a shared understanding of purpose and the process by which this can be achieved. However, as the data has shown, he is not widely supported in this belief:

"Er...well again, yes, if you can...if you can get engagement, between [them]...if you can identify what your community is and get engagement between [them]. It is...listening and engagement [that] are critical to the process at the beginning, but it is...a clear understanding of...what you are trying to get to, and in terms of how you are [going to get there]. Those are [the] operating features at the end of the day and that should be part, well to me, it should be part of an overall process. That does not just, we do not just go along to a situation and say right, we are going to give you now x number of police officers who are going to tackle your problems and they are going to be honest, they are going to be fair, they are more importantly, those are issues, those are...virtues that, you have got to convince your community that they exist, before ever you say we have got them" (Ernest,1965).

Conceptually, this extract from Ernest provides a heightened sense of the needs of the community. It is also consistent with MacIntyre (2012, p. 221) to the extent that, arguably the police service, in common with all members of the community, find their "moral identity in and through membership of communities". Critically, then, Ernest supports the notion that the police service would benefit from developing a quest to foster improved relationships with the communities they police. In doing so, it could help to increase a mutual understanding of their norms, beliefs and expectations and in turn, lead to a moral alignment with them. Such a quest, and their perceived intentions for

pursuing this, could then be made intelligible in the context that their longest-term intentions are to develop morally, good policing practices. Further, the quest could also be seen as symbolic of them seeking out the expressed consent to exercise legitimate power in the sense that Beetham (1991) alludes to (See also: MacIntyre, 2012, p. 207-8). Why, then, is Ernest one of the few participants who expressed any sense of the importance of pursuing a form of moral alignment where possible? It may be significant that Ernest, whilst now retired, was one of the more senior ranking police officers amongst the participants and his senior rank presented him with a different perspective based on his experience. It may also reflect his character and moral identity, a feature that appears within his narratives throughout this thesis. It may also be connected to his religious faith, through which he has developed a heightened sense of community. One thing is clear, his perception is not shared widely.

Other narratives from Laurie, Jill, Sunny, Christine, Elizabeth, Edmund, George and Thomas - cited earlier (Ibid, p.70), appeared to be an expression of a quest for moral alignment, from their motivation to join the police service with a desire to 'do good' in the community. However, this expressed desire was not explicitly linked to moral alignment *per se* with the communities they would police. Subsequent data presented from Simon, John and Edmund also revealed some scepticism concerning the possibility of moral alignment between the police and the public or any requirement to pursue it. It is not clear from the data why this so, but at some level, this scepticism is common to most participants despite their self-reported motivations for joining the police service, evidence of their character or religious faith.

This conceptual block seems to be, partially, in the participants perception of those engaged in aspects of criminal behaviour within the community, and this applies across a wide spectrum of criminal behaviour from *mala prohibita to mala in se*. The source of these negative perceptions could be: cultural and part of the characteristic of 'mission-action-cynicism and pessimism' that Reiner (2012) alludes to; the perceived sense of moral rightiousness and goodness of the police service protecting society from the 'bad guys' (Herbert, 1997); moral conflict between the participants perspective and those engaged in offending behaviour (Muir, 1979); or social isolation of the police from the community - contributing to the negative perceptions of some of its members (van Dijk, Hoogewoning, & Punch, 2015). Whatever the cause, it appears to limit the participants conceptual understanding of moral alignment with the community or importantly, any need to pursue it. Once again, this is despite their expressed desire to do good in those same communuties and their practice of the necessary virtues to do so. Reflecting on the findings discussed in chapter 4, it could also be influenced by the participants perceptions of their legitimacy being vested in the rule of law and the Office of Constable. However, Christine offers a partial, alternative explanation in the extract below which arises from a perceived lack of diversity in policing which narrows police understanding of the communities they serve. This observation is consistent within the observations of George concerning police recruitment - (Ibid, p.80) and Bottoms and Tankebe (2012).

> *"Now when I joined [TP1] it was just men and women [Christine laughs] they did not really consider anybody else...but, you know in these days, now we have got so many different, um, ethnic communities, agenda issues, just the normal male female issues, religious issues and all of those issues then you, if you are going to*

reflect, that is what I can remember saying, if you are going to reflect the police in the community then you have got to have all of those sorts of people in both" (Christine,1981).

Christine continued:

"I think that, that is, that is a matter for recruitment of police officers from all levels of community to get a diverse um...number of people in the police as you do for your community. Funnily enough I can remember an answer that I gave when I was interviewed for joining the job [police service]…I cannot remember the question exactly but it was about being a woman in the police service, and I can remember my answer 'unless you have, all members of society, men and women, in the police force, then you are not going to be able to serve, serve them' Now I probably did not put it quite like that because I would not have thought about it in those terms, but I remember saying you have got to have men and women in the police in order to be able to serve men and women in the community. So, the same is [true] for...for class and culture isn't it and, and ethnic minorities as well, need, if you have got all of those people then you are going to serve the community better" (Christine,1981).

Christine completes her narrative on this subject with an observation which is pertinent to the discussion here, and that is the extent to which police officers, historically, have considered it important to go into the community and work with them rather than 'doing policing unto them' as George stated:

"They [colleagues] were dragged kicking and screaming into the community, and the local authorities, and other organisations that worked with communities. I think that it took them a little while to, to understand that that was going to be helpful, and to relax into it as well. Because I think there was quite a bit of ..there was that barrier, in they did not want to be sort of be seen to either relying on other people to do things, or trusting other people to do things. Because at the end of the day, the police are, you know, the police. They are the only ones that can do anything, so nobody else can do anything, that was cynical of me...and training changed, training changed enormously. You know from those days when you were just, if you were a woman you were therefore qualified to do all these things, but you had not got a clue what you were doing about, it. So, training has changed an awful lot and um...and I think that it is, they, their interaction with the local authorities, and district

councils, is, is much, much better. I also think, and I suppose this might be a little controversial for some people, that the fact that there are so many support staff now, within the police service, probably more support staff now than there are police officers, is actually a good thing because they are seen, they are not police officers, they are working for the police but they are not police officers. So, I think they are seen much more as part of the community than police officers are, and I think that is, that has been transformational for the police, some would say not for a good thing, but I would say actually, it is for a good thing" (Christine, 1981).

Christine raises an interesting point in her use of the expression 'work with them'. To an extent, this observation is historic as Christine retired from the police service 5 years ago. However, Ernest also joined the police service in TP1 - 20 years before Christine and yet his narratives have demonstrated the importance of working with the community - and many other participants also expressed a desire to 'do good' in the community, Christine amongst them. It is possible that Christine was alluding to the concept of 'multi-agency partnership working' which was extended from the enactment of *The Crime and Disorder Act 1998* [CDA]. If so, such partnership working may have been regarded negatively by some, and explains her reference to police officers being dragged, kicking and screaming into the community. However, her self-confessed 'cynical' reference to the police service perception that 'they are the only ones who can do anything' may also be symbolic of their self-perceptions of legitimacy. Jill was also cited earlier (Ibid, p.126) regarding her use of the phrase 'we serve the queen, we do not serve the public, we deliver a service by consent'. This observation seems to support what Christine is saying, to the extent that the police service do not necessarily identify with any need to seek out the views of the public to legitimate police practices, in the sense that Beetham (1991) regards it. As Christine further stated, the police service may even view this requirement as a barrier to improved relationships with the community, as a means of avoiding

any need to rely upon anyone else, other than their police colleagues. It may

also be another example of the 'utopia problem' that Morrell and Bradford (2019)

refer to. The final example from Louise (1965) seems to support this assertion:

> *"I just get the impression like, maybe from partly what you have been asking me, um and what is put in the press, but you know people have a really low opinion on [the] police ...some people do...and...I just think...it is...we do the best we can with what we have got. I just wish people could...see...what we have to deal with...and...with the resources that we have got, and maybe they might understand a little bit more" (Louise laughs).*

This final extract from Louise, who recently joined the police service, supports

the commonly held belief that the relationship between the police and the public

is complex in nature, and there are common misconceptions on all sides of the

debates concerning this relationship. However, regardless of whether the police

service place any importance upon the requirement for, or any possibility of, a

moral alignment with the communities they police, there is considerable data

within the narratives from the participants which suggests that they fully

understand the importance of policing their communities professionally, and of

exercising the requisite virtues to do so. The following sections will seek to

explain why this is so by exploring the development of the character of police

officers prior to joining.

5.3 The Development of the Character of a Good Police Officer

Throughout this thesis, some of the goods internal to the practice of policing

and the virtues necessary to advance this practice have been considered. For

example, from the motivations of 9 of the participants to join the police service

and their desire to 'do good in the community'. Sunny (Ibid, p.105) was clear

that he was motivated to help the Asian communities, who traditionally, did not

see the police as being there for them. Christine perceived that being helpful to the community was a 'good thing to do' (Ibid, p.110). Ernest, too, envisaged his future was to be engaged in community policing for the entirety of his service (Ibid, p.111). Whilst these desires to serve the community were not specifically linked by them to a moral alignment with the community, per se, this has been addressed more broadly at the beginning of this chapter. However, the participants expressed desire to do good was wholly consistent with their values and for some, it was a feature of their religious faith and importantly, their character. Data will now be presented to explain why this is so and the following extract from MacIntyre (2012) will place this data in a wider context:

> any contemporary attempt to envisage each human life as a whole, as a unity, whose character provides the virtues with an adequate telos encounters two different kinds of obstacle, one social and one philosophical. The social obstacles derive from the way in which modernity partitions each life into a variety of segments, each with its own norms and modes of behaviour. So, work is divided from leisure, private life from public, the corporate from the personal. So, both childhood and old age have been wrenched away from the rest of human life and made over into distinct realms. All these separations have been achieved so that it is the distinctiveness of each and not the unity of the life of the individual who passes through those parts in terms of which we are taught to think and how to feel. (p.204)

Through the lens of their oral history interviews, the participants revealed the possession and exercise of many of the virtues of good policing - including the virtue of justice which is, amongst other virtues such as honesty and integrity, contingent to, and a necessary condition of good policing and in the pursuit of procedural justice, moral alignment and legitimacy. This may be true, regardless of whether these virtues were acknowledged as such or the participants expressed any appreciation of them. However, this point will need to be developed further in the context of MacIntyre's conception of the virtues.

Here, it is useful to reflect upon MacIntyre's (2012) concept of a virtue and the importance of the virtues as a feature of a moral character:

> The virtues therefore are to be understood as those dispositions which will not only sustain practices and enable us to achieve goods internal to practices, but will also sustain us in the relevant kind of quest for the good, by enabling us to overcome the harms, dangers, temptations and distractions which we encounter, and which will furnish us with increasing self-knowledge and increasing knowledge of the good. The catalogue of the virtues will therefore include the virtues required to sustain the kind of households and the kind of political communities in which men and women can seek for the good together and the virtues necessary for philosophical enquiry about the character of the good. (p. 219).

Importantly, the virtues of - justice, fairness, empathy to the community, honesty and integrity are essential features within the procedural justice theories advanced by Tyler (2006) and extended by Jackson *et al* (2012); Papachristos *et al* (2012); Mazerolle *et al* (2013); Jackson *et al* (2013); and others including the work of Millie & Hirschler (2018). The fairness of any procedural justice interactions between the police and the public are considered amongst the highest goods, if their actions are to reinforce their legitimacy. However, it cannot be assumed that every police officer is cognisant of this fact and this emphasises the importance of the development of a moral character and its relationship to policing practices.

For example, the narrative of Simon (ibid, p.141) demonstrated how he perceived no link between 'doing policing' as a practical skill or craft and understanding the perceptions of the community concerning what good policing means to them. This included very little apparent reflection by him concerning the aims and purpose of the tactics he deployed 'to do' police work (See: Herbert, 1997; Holdaway, 1983; Loader & Mulcahy, 2003; Muir. 1979). And yet, these tactics have been developed over a number of years and they form part

of the tradition of policing. This further emphasises the dialogic nature of the procedural justice debates as Bottoms and Tankebe (2012) have argued.

It becomes important, then, to reflect upon the character of the police officers engaged in these practices. Simon obviously perceived that he was engaged in doing police work as it was his practice to do, implying that policing is no more than a process informed by technical skills and legal knowledge. However, this version of policing falls short of MacIntyre's (2012) definition of a practice and is also inconsistent with the context of the debates which have informed this thesis. This appeared to be a feature of his character as articulated throughout his oral history. However, this is not a criticism as it can be reasonably assumed that many police officers would behave in a simiilar way. Here, MacIntyre (2012, p.207-208) makes another interesting point which illustrates that for individual action to be understood, it must be seen as part of a sequence in which short-term intentions are made '*intelligible'* in the context of longer-term intentions and how those intentions form part of the wider narrative of the practice. Importantly, as MacIntyre (2012) observes:

> the behaviour is only characterised adequately when we know what the longer and longest-term intentions invoked are and how the shorter-term intentions are related to the longer. Once again, we are involved in writing a narrative history. (pp.207-8).

Accordingly, it becomes essential to fully understand an agent's beliefs in order to understand his intentions (MacIntyre, 2012). For example, Simon's own explanation of the practice of standing around outside prominent buildings in uniform, highlighted his belief that it was not necessary for him to understand the public perception of his tactic as their perception of policing did not extend or influence his own perception of 'police work'. This is consistent with earlier discussions concerning moral alignment. However, had he explained to them,

if indeed it was so, that his intention was to present a visible form of social control by the use of high visibility policing at central and prominent locations in an urban town centre, and it was intended that the public would see this as a deterrent against committing crime, his tactic could then be understood in the context of the longer or longest-term intention. Thus, had Simon engaged further with the public whilst doing so, he could have enhanced the effectiveness of this social control, and their perception of it, by highlighting that his actions formed part of a broader strategy to reduce town centre crime, and he could have engaged the public to assist him. Such engagement could then be seen and experienced by the police and the public, mutually, as procedurally good policing, incorporating just and fair practices, aimed at increasing public safety and reducing harm.

This example demonstrates the very essence of the debates on procedural justice, but arguably, for an officer to behave consistently in a procedurally just way or present as a 'good' police officer, requires them to acquire at least a broad understanding and knowledge of the practice together with the necessary character and telos to extend it, along with the possession and exercise of the requisite virtues to do so (MacIntyre, 2012).

Extracts from the oral history narratives will now be used to reflect upon the importance of MacIntyre's (2012) narrative unity of a single life, through which it will be demonstrated how the participants acquired their character, their moral identity and the virtues necessary to deliver good policing, prior to joining the police service, albeit, it is accepted that their character may have been enhanced or honed throughout their practice (See: Morrell & Bradford, 2019). Further, the narratives will illustrate how the goods internal to the practice of

policing are both understood by them and extended by the possession and exercise of necessary virtues within the tradition of their practice (MacIntyre, 2012, p. 204). Here, MacIntyre (2012, pp. 204-5) distinguishishes his thesis from the sociological work of Dahrendorf and Sartre's theory of existentialism. MacIntyre (2012) argues that they both divorce 'the self' from the roles that he or she plays in such a way that life begins to be seen as a series of unconnected episodes. In contrast, it is his thesis that "the concept of selfhood resides in a narrative which links birth to life to death as a narrative as beginning to middle to end" (MacIntyre, 2012, pp. 204-205).

Analysis of the narratives revealed some compelling insights from the participants which point directly to the concept of selfhood conceived in this way.

5.3.1 The Influence of Childhood Socialisation on the Character of a Good Police Officer

The account that follows from Laurie, who joined the police service during TP1, was offered in response to a question asking him to tell the researcher something about his early life. Within reason, he was completely free to start wherever he wished:

> *"Er...well my father was ...a [German] prisoner of war...who found himself, came from [POW captivity in] America to...Essex, and...when the war finished, he, got a job locally as a, a farm manager...He was told that he could, if he wanted to, stay in Britain. He had to go up north and work in the coal mines, or he could stay where he was and work the land, so he decided to work the land..and then became a farm manager, and we used to live in er, the downstairs of a big farm house, and another family lived upstairs"* (Laurie,1070).

At this point, anything said could have been uttered or received in what Riessman (1993, p34) refers to as a '*discrete or unconnected*' matter, but it became clear throughout his oral history that Laurie had started here for a reason and he had oriented his response for that reason; because it was important to him and was integral to his character. Equally importantly, MacIntyre (2012, p.211) explains:

> We allocate conversations to genres just as we do literary narratives. Indeed a conversation is a dramatic work, even if a very short one, in which the participants are not only the actors, but also the joint authors, working out in agreement or disagreement, the mode of their production. (p.211)

This explanation from MacIntyre (2012) appears extremely salient to Laurie and also to Ernest and George as can be seen elsewhere. The style and mode of their story telling appears to be well considered, reflective and told with a sense of importance whilst remaining situated within the unity of their overarching life story. For Laurie, the setting for his reflection was in East London during the 1950s - 10 years after the end of World War 2 and Laurie lived in a city which still bore the scars of that conflict. Notwithstanding this fact, Laurie went on to detail how his relationship with his father helped him to navigate the inevitible problems with other children living in the community who may have been aware of his fathers war service. However, more importantly, how this personal experience not only aided his moral awareness and the development of his character, but also had a profound impact on him and his approach to policing for the entirity of his police career. In essence, how he made sense of human relationships within diverse communities and socio-cultural settings (Squire, 2013) and how he dealt with the countless injustices he witnessed throughout

his career.This included his exercise of a profound sense of summary justice, a matter which will be expanded upon later in this and the next chapter.

Laurie further explained one of the ways in which his early life had impacted upon him:

> "*And that is where your introduction ...to life was in that area (Laurie: Yeah)...ok, ...this is interesting and I hope you do not mind me asking, but it is, it may be pertinent. When you were growing up, were you aware of your fathers, past, and did it...impact on you in any way and the people around you?*" (Researcher).

> "*Interesting question, and the answer is yes… and that is why as I have grown up, I have been, and I have to say that when I was in the police service, I found it incredibly offensive, when people [training staff] are standing there taunting, talking to me about, lecturing me on discrimination… because I have been a victim of it for a long time as a schoolboy*" (Laurie,1970).

In this short narrative, it can be seen that Laurie directly correlates his childhood experience with his attitudes towards aspects of police training which likely occurred many years after he joined the police service, and post publication of the report by Lord Scarman (1982) concerning the riots in Brixton, London and elsewhere. Further, this training took place at least 20 years after his childhood experience. He went on to explain why this was so when responding to a follow up question concerning his perception of being a victim of discrimination:

> "*Um, well, you know I suppose the, most, common one was, that probably a day did not go past out of school...when we were out locally playing football or whatever where you would not get called a Nazi bastard....and, it then of course as people grow up it went from, the verbal assault to a physical assault. I remember saying to my father one day...he said what is that mark on you.... looked at me and said, you have been hit. He says has this happened before and I said, yeah…. He said well next time, run down the hill….open up a gap, he said then, when you get halfway down, let them slow down a bit let them catch up with you, and then the first person behind you, you hit them as hard as you can, up the solar plexus, he said and they will not bother you anymore. So, I said ok, so I did it...and I wacked this kid up the gut and he just went down like a sack of potatoes, and the others stepped back, and I just walked back past them and they never bothered me after that day. So, I have always had an aversion*

> *to bullies...and from that day, I probably always sorted stuff out myself...because it is something that told me, you can sort it out yourself."* (Laurie,1970).

Laurie appears to have reflected extensively upon those incidents of bullying which occurred over a period lasting many months and prioritised the telling of them when asked 50 years later to talk of his childhood experience. Whilst his narrative ends on a happy note for him, it also appeared to be a transformational moment in terms of his moral development. It is not clear exactly how old he was at this time, but he was unlikely to have been older than 15yrs. He had already situated his relationship with his father with one of respect for his authority, largely because he regarded him as strict and quite willing to administer his own summary justice in the form of "a whack" if he stepped out of line. However, this does not directly explain his initial reticence to tell his father that he was being bullied. It is interesting, however, that it is only when sanctioned by his father, did he sort out the matter as instructed. Critically, the consequence of doing so helped him to fully understand the vice of injustice, whilst simultaneously developing the virtue of justice when he administered what he considered to be *just deserts* by informal retribution to those who bullied him (Brooks, 2012; MacIntyre, 2012). It could be argued that by doing so, Laurie was administering his own form of summary justice. However, in the context of this thesis, the point being made here is one of the development of the virtue of justice and not seeking to draw any distinction between various forms of justice. As MacIntyre (2012) observes:

> An Aristotelian theory of the virtues does therefore presuppose a crucial distinction between what any particular individual at any particular time takes to be good for him and what is really good for him as a man. It is for the sake of achieving this latter good that we practice the virtues and we do so by making choices about means to achieve that end…Such choices demand judgment and the

> exercise of the virtues requires therefore the capacity to judge and to do the right thing in the right place at the right time in the right way (p.150).

Muir's (1979) ethnography concerning the police use of coercive power in the United States, and the moral implications for doing so, are supportive in principle of the data being discussed here. When Muir (1979, p. 90) asked his participants [police officers] questions concerning the morality of their conduct and their understanding of the informal [police] code of conduct, the typical reply was "I use in my job a lot of my upbringing, my religion, my experiences in my own family situation".

Muir's (1979) findings are interesting as throughout this chapter and the next, two prominent lines of discourse in relationship to moral development will emerge. Laurie will be used to illustrate how his early lessons in dispensing [summary] justice became a feature of his character in the sense that MacIntyre (2012) and Muir (1979) allude to - in the pursuit of fair outcomes - but always in a measured and well considered way, and always upon a thorough and justifiable consideration of the facts as they were understood. An example of which can be seen in the extract from Laurie below.

The other discourse emerges from the significant data which highlights clear links between pro-social activities, religion, policing practices and a heightened sense of community:

> "*Well, um, it is, is this, an example springs to mind with...um, this...bullying type thing. Whereas one day a guy that I used to play football with, is on his way home from school, and he gets attacked by another kid from the same school and I am on my bicycle and I come up the road, and he [aggressor] is sitting on top of him punching him in the face but then, we are all the same age, but the guy who is doing the punching has got a, a friend who is like two or three years older than them? standing by as he is giving him a good whacking. So, I stopped and got off the bike, and I said to him, I do*

> *not think that is fair...and he said to me...keep your nose out of it, the big bloke said. So, I pulled the young[er] one off the guy...and just threw him on the ground and I said, if you want to fight someone, I will fight you, but, it is not going to be as easy as it is with him. So.....you know that, if you are talking about moral code to me, that is morally wrong that he should do that and after that...I kind of, I probably, then decided well, right, that was easy wasn't it and then, I used to step in quite a lot, into fights and people being beaten up basically, and take the side of the person that is on the receiving end"* (Laurie,1970).

In this extract, Laurie, appears to be clear that his actions are morally justified on the basis of fairness and that it was normatively the 'right thing to do'. Laurie could avail himself of the argument that his use of force was justified in law by *The Criminal Law Act 1967* s.3, in the prevention of a crime against another, if he could justify that the use of force was reasonable in the circumstances. However, he was probably unaware of the legal position, then. Arguably, Laurie's conduct is also an example of what Matza (1964, p.69) refers to as 'Drift' as there is no doubt that he had negated any perceived offence by "episodically slackening his moral bonds to society" and drifting into delinquency when he used violence towards another, and when it had not first been used against him. Therefore, he was not acting in his own self-defence. However, in contrast, Laurie also argues a moral case in support of his actions on the basis of fairness and he completes his narrative by claiming that it became a feature of his character '*to step in and take the side of the person that is on the receiving end'*. In other narratives, Catherine, Edmund, John and Louise also told stories about being bullied in childhood and of the long-lasting effect it had on them.

Edmund commented:

> *"I always wanted to meet one of them, when I became a police officer [laughs] but I never did, I never did"* (Edmund,1974).

Whether or not Edmund was motivated to pursue justice or revenge is not clear,

but these experiences influenced Edmund's decision to join the police service:

"Oh no no, no, no I mean once I had, once I had sort of settled on that [joining the police] then I thought, yes I can make a contribution um...and I thought...yeah I thought I thought to myself, I hate bullies, I hate people who take advantage of other people, I hate um, anybody who who...who, um exploits anybody else um" (Edmund,1974).

Finally, Laurie provided the following account to justify his actions:

"And obviously, it is not about...um you know...it is not about me delivering gratuitous violence, using it as a, using it as an opportunity, to actually dish out, because it gave me some kind of thrill, it did not give me a thrill, but I could do it and it was the right thing to do, so I did it….Yeah I would, I would...in that sort of thing because, you know, it is about fairness, and the one thing I was taught from a very early age, it had to be fair...if I got a packet of sweets my brother had to have a packet of sweets, if I got an apple my brother had to have an apple because it was fair" (Laurie,1970).

What, then, does this narrative from Laurie and the other participants say about

the perceived importance of the unity of their narratives from childhood to

adulthood and their pursuance of a career in law-enforcement - having acquired

a sense of the requisite virtues to do so, i.e. justice? Tyler (2006) gave

consideration to this in his own search to understand why people obey the law.

He offers a partial explanation through the lens of Easton (1965) and Easton

and Dennis (1969) with the concept of 'socialiation of beliefs' within children.

Tyler (2006, p.176) commences by asking a question concerning how people

know whether allocation procedures are fair and this is an essential

consideration in debates concerning procedural justice, as distinct from

substantive justice. For example, when a medium other than a jury trial is used

to resolve a dispute, it may raise further questions concerning which is the fairer

process - a jury trial or some form of mediation?[13] In response to this question, he argues that communication of 'common values' concerning fair procedures and fair outcomes are distributed by societies and organisations through the socialisation of beliefs, and these beliefs are learned from older members of the community (Tyler, 2006, p. 176).

In this sense, Laurie, in particular, learned about fairness and distributing just outcomes from his father and his personal experience with bullying. Ernest, too, by being unfairly punished with 'six lashes' at school having been falsely accused of bullying (Ibid, p.65). This is wholly consistent with the observations of Caldero, Dailey, and Withrow (2018, p.62) who argue that "Ethics are learned and imprinted at home. Ethics upbringing is emotionally imprinted through somatic markers and is fully in place when someone is seeking employment".Tyler (2006) also cites Easton (1965) who further argues that, through the process of socialisation, children acquire support for the fairness of concepts such as the Criminal Justice System, but in an abstract sense, bearing in mind that they are unlikely to have experienced it directly. Locke [1689] (1975) has also argued that such principles are not innate, they are empirical facts learned by experience, but can be learned from others. However, Tyler (2006) argues that, having acquired these beliefs, they have a long-term affective power which is only loosely connected to self interest. In other words, children can value the virtue of justice over self-interest (Tyler, 2006).

---

[13] Whilst Tyler (2006) draws a narrow distinction between the choice of a jury trial or an informal dispute resolution, it must be recognised that there are other modes of justice from which children may learn about fair allocation procedures. These include the magistracy and the growing use of restorative justice.

It is argued here that this affective power also has a bearing on the unity of their life and their moral development. This is evident in the narrative from Laurie as there is no suggestion that his latter actions in respect of bullying were motivated by self interest as he is clear that his motivation was fairness. It is also significant that throughout his oral history, the pursuit of justice and occasionally by unconventional means, is a common thread, but always after thoughful consideration of the facts and expedited in a manner which Laurie considered to be fair. For Laurie, it is clear that the pursuit of fairness is essential and this is a strong feature of his character. It also demonstrates the possession and exercise of the virtues of justice and fairness, both of which, are essential to distributing procedurally just outcomes in policing.

However, Laurie does not conceive of himself in this way and he had no knowledge of the procedural justice literature. He also retired from the police service before the Code of Ethics were published. Therefore, neither concept had any bearing on his character. Undoubtedly, his character and the behavour that flowed from it is a feature of many police officers within the practice of policing and not something new or informed by the raft of procedual justice literature, or the recent publication of a Code of Ethics (See: Bottoms & Tankebe, 2012: Bottoms & Tankebe, 2013; Bradford & Quinton, 2014; College of Policing, 2014); Jackson, et al., 2012; Jackson, Bradford, Stanko, & Hohl, 2013).

This can also be seen within the selection of narratives from Ernest, Catherine, Christine and Jill below.

The first extract from Ernest develops upon his wider narratives of childhood and the enduring effect that his childhood had upon him in the development of his character.

> *"I wanted to, probably do, sounds a bit twee, but I wanted to do good to others and not to fall foul of any moral code myself, that was important to me"* (Ernest,1965).

The following extracts from Catherine and Christine are consistent with George (Ibid, p.64) in their perception of the positive impact that Scouting, Brownies and the Girl Guides had on the development of their character and the value of community activities but also, the importance of the virtues of being trustworthy and responsible. The final extract from Jill is also oriented towards the perceived importance of community and helping others:

> *"Scouting association, I think probably is the most [influential]. We went to Brownies, Girl Guides and then I went into the Venture Scouts and was very active. We did an awful lot of different things …rock climbing, canoeing, abseiling….but we did community work as well. We used to go to old peoples houses and clean their house and do a bit of DIY, cut the grass, that sort of thing.. you work hard, got a goal and you achieved something from that goal, I guess"* (Catherine,1991).

> *"Being a Brownie or guide was about helping people, doing the right thing. Sorry to go about this, but clean your shoes, you know being an upright person-someone who was trustworthy and responsible"* (Christine,1981).

> *"I was very aware of some people having a lot less than I did and I was very aware in the sense of the value of money and that money was not everything. …there was a lot of messaging around the importance of community and helping each other out"* (Jill,1989).

It is clear from these extracts that several participants articulated references to the enduring effect of their childhood socialisation on the development of their character, through the socialisation of beliefs that Tyler (2006) refers to. This occured prior to joining the police service. These references also highlighted how aspiring police officers would/could be able to demonstrate empathy and an understanding of the communities they would police and to an extent, a moral alignment with them even if they were not cognisant of this fact. However, it cannot be assumed that the participants perceive it in this way.

Each of them, also highlight the acquisition and exercise of virtues which would likely aid them to be good police officers. Finally, in the extract below, Sunny (TP2) talked about faith within the Sikh community and the importance he places upon his childhood socialisation within this community:

> *"I think, the way we had been brought up...and generally how the community is in terms of...how you should be and...it is, in the Sikh community it is very sort of important for people to be humble, polite, um, courteous...and always go out of their way, to help others, before you do something for yourself, so it is a case of they will always say before you put something in your mouth like, if you have got food you are about to put in your mouth, before you do that if you have got someone in front of you, offer it to them...regardless of how hungry you are because you do not know how hungry that person is and how long has it been since that person has ate, so do not just think, oh he is alright...so yeah I think it is a community thing, we have that way of thinking so, treat everyone with respect um...yeah"* (Sunny, 2015).

Here, Sunny (TP2) makes explicit links between his faith and the importance of the virtues of humility, courtesy, politeness and fairness by the distribution of food and of the requirement for self-sacrifice if necessary.

Ernest (TP1), highighted how his childhood relationship with his father, a serving police officer, was very strict and centred around the values of his police work. Edmund (TP1), another son of a serving police officer, expressed similar experiences. Ernest also highlighted how his paternal grandfather was a very highly principled man and how that ethos was reflected through his father and without acknowledgement, how he, too, presented as a man with strong principles around fairness, justice, honesty and doing good in the community.This illustrated the historical development of Ernest's character through three generations in the sense that MacIntyre (2012, p. 221) alludes to. In addition, Ernest experienced significant influence from his mother and in

consequence his narrative is highy reflective of strong discipline and religious beliefs and practices and is best explained in the extract below:

> *"so I was in a household there which was probably, controlled by religion and controlled by a police..atmosphere, and in terms of my childhood, whilst I played with other children, all of those, I think, had to be vetted to make sure that I was not mixing with undesirables"* (Ernest,1965).

Ernest and Edmund were the only two participants who made signifcant mention of the impact of being from a police family, but not the only participants who expressed the importance of religion in their childhood. This was a significant factor which impacted upon several participants, and it is argued here, that it also influenced their moral devlopment, their character and their sense of community.

5.3.2 The Influence of Religion on Character and a Heightenend Sense of Community

Prideaux and McFadyen (2013) argue there is a dearth of literature within the fields of criminology and religious studies on the relationship between religion and policing. More widely, within the field of sociology, religion has been conceived as a positive factor which may limit deviant motivations. According to Fulcher and Scott (2011, p.393) a broad interpretation of religious beliefs involves "devotion or attachment to a system of beliefs that defines the moral obligations and responsibilities people have towards one another". Hirschi (1969) argued how beliefs in societal norms (not exclusively religion), are a social bond which if young people become attached to it, they are less likely to become delinquent. Matza (1964,p.62) also told how religion in the form of simple puritanism, formed the building blocks of the normative system of middle class morality in the US. However, much less attention has been paid to religion

as a motivating factor for public service (See: Houston and Cartwright, 2007), or for the impact religion plays in moral decision making (Walker, Smither, and DeBode, 2012).

McFadyen and Prideaux (2014, p.604) argue "there is a strong tendency to address and engage religion in specific segments of activity or policy in an ad hoc manner, rather than to construct a single narrative with religion as a unifying theme". Further, they argue there is a "default assumption that religion is irrelevant, either as a social phenomenon or as an aspect of individual or communal identity" (McFadyen & Prideaux, 2014, p. 605). However, Habermas (2008, p.21) takes a slightly different view with his thesis supporting an observed move from secularised societies towards post-securalism. He argues "global changes and the visible conflicts which flare up in connection with religious issues give us reason to doubt whether the relevance of religion has waned" (Habermas, 2008, p. 17).

Significantly, there is strong evidence within the the oral history interviews gathered for this research that the narratives of 12 of the participants contained elements of religious influence in their personal history, in the moral development of their character and in some cases, religion remains a strong influence in their daily lives. Arguably, in support of this thesis, police officers with religious belief would make ideal candidates to develop into morally good police officers if their faith was understood by them in the sense that Fulcher and Scott (2011) define it. Further, consistent with Houston and Cartwright (2007) and Millie and Hirschler (2018), five of these participants – Jill, Sunny, Elizabeth, Ernest and Thomas – had previously expressed a strong desire to do good in the community as a motivating factor for joining the police service.

This further highlights the importance placed by MacIntyre (2012) on considering the unity of a whole life narrative which does not partition aspects of individuals identity and the roles they play as if they are distinct from each other.

As an example, the extract from Thomas clearly illustrates this point:

> *"I am a strong believer in Christ...and the Lord says love one another as I have loved you, and that is through Jesus that um, I have had my strength throughout my life" (Thomas,1974).*

In this extract, and in his wider narratives, Thomas is clear and unequivocal concerning the importance of religion and how it has provided strength throughout his life and not just segments of it. Arguably, it would not be unusual in a sample from many social groups for there to be individuals who express support for religious beliefs and practices. However, in the context of this research and in respect of moral alignment in particular, religion appears to be an important factor for Thomas and 11 more participants.

This could be seen as surprising as Bullock and Johnson (2018) argue that Great Britain has undergone a gradual transformation to increased secularisation. This assertion is supported by a report from the Office of National Statistics (2015) that details a reduction from 72% to 59% of the population in England and Wales who identify as Christian. In contrast, the second largest religious group - Muslims, has seen an increase from 3% of the population to 4.8% over the same period - 2001 to 2011. Whilst all of the participants were born and achieved adulthood before the publication of this report, Bullock and Johnson (2018) also argue that a rise in conservative religiosity and activism - intent on resisting cultural transformation – is responsible for a resurgance of introducing faith into policy making and to police

practices. It is of significance, then, that the presence of active religious practice amongst the narratives for this research was prevalent across Christian, Sikh and Islamic faiths, but slightly less so for other faith systems. However, there is no evidence in any faith of links between conservative religious practice, activism or resisting cultural transformation. Although, in the context of this research, this may be due to the small sample size.

Prideaux and McFadyen (2013, p.458) also suggest there are issues concerning the 'everday' discourse on religion and in particular, how "personal religiosity or opinions" may influence policing practices, and, furthermore, how assumptions are made that these beliefs or opinions (positive or negative) may be "bracketed out" by those engaged in that practice. The research context in which these comments were made was focussed upon the "training, knowledge and experience of police officers" in the Metropolitan Police and how this related to the manner in which they "responded to supporting local communities and dealing with crime" (Prideaux & McFadyen, 2013, p. 459). However, the data being explored in this thesis does, in contrast, highlight that rather than 'bracketing out' or to put it another way, neutralising or setting aside these personal beliefs, religion played an important part in the lives of the participants and in their moral development. As Habermas (2008, p.23) observes 'religious freedom is a basic right'. On occasions, religion also provided important insights into the lives of the communities they would police. The following extract from Elizabeth illustrates this point:

> *"I think as soon as ...I had started to go to church it kind of changed how I...like viewed everything and...I was quite sort of hungry to want more information, and I suppose some people kind of look at it and go, well why did you go down that road, but we used to go to a little Christian fellowship thing at school, and then you make more*

friends from there, that kind of actually have the same ideas as you do or the same values, I suppose...and it, but it did not...it did not make those, friends that were not Christians, not my friends if you see what I mean, they were still people I would, hang around with, I just, kind of stopped doing all the things that, they might [do] go out and nick a few sweets down the shop and I would be like, I do not want to do that." (Elizabeth,2003).

In this narrative, Elizabeth, highlights important reflections concerning her personal life but also, how her religious beliefs influenced her character, her personal value system, the way she thinks, her relationship with others, and more importantly, her moral development by not engaging in stealing from shops when some of her peer group did. Importantly, she also exercised the virtue of courage, to resist and not do so.

The following narratives provide further insights concerning the influence of religion on the participants childhood, relationships, policing practices and their attitudes towards the communities they would later serve. They also reflect upon the extent to which their parents made personal sacrifices to socialise their children into religious practice:

> *"If I start with the religious side, it was...a significant part of my day to day life, going to church and behaving in a moralistic way, there...I did not question why I was going.....and everything that I did when I was there, was compliant um...the prayers were all learned by rote as...religious power is concerned... [Ernest exhales sharply]...that became quite um....[Ernest exhales] quite dominant in the household" (Ernest,1965).*

> *"There was a lot of influences um, my mother was a staunch Methodist, and I used to go along to the Methodist church every, every Sunday, every Sunday morning. [I]Joined junior church and it was, we were all told the moral code, right and wrong, and suchlike, and it was always these messages being passed over to us, not that I was a glutton for punishment but I also joined the Crusaders, I joined the Crusaders bible, Bible society, and every Sunday afternoon I used to go to Crusader classes where we used to sing choruses and we used to have a, we used to read from the bible and we used to get the moral, the moral lessons as well"* (Edmund,1974).

In these extracts, Ernest and Edmund allude to the dominance of religion in their respective households and during their childhood. Ernest talks about the importance of Catholicism in the household and the deep breaths taken when telling his story, highlighted this fact. Edmund talks of the importance of the Methodist church. However, in common, they both highlight clear links to their moral development. In his wider narratives, Ernest remains loyal to his faith, but also appears astute in his reflections concerning the tensions it created for him within the household and in his relationships with others. Ernest and John mutually shared the sense of daily responsibility of being alter-boys and also, living up to their mother's expectation for them becoming a priest, something which neither of them pursued. Ernest also told how the strict discipline and learning prayers by rote, aided him in his police training when learning the law by rote in a similar fashion to religious texts. Ernest remained what he regards as true to his faith throughout his police service and to this day. It is a feature of daily life that he inherited from his mother and as such, Ernest is the bearer of a tradition that had a significant influence on him in his personal life and police practice (See MacIntyre (2012, p.221).

The following extract from John also illustrates how religion brought him personal conflict with peers but also, a moral appreciation of the sacrifice his mother made to resolve this conflict whilst also advancing her expectations of her son:

> *"My mother was Roman Catholic, my father was not. There was a lot of religion within the house because of my mother and grandmother. Initially I went to [State School] was not particularly comfortable there at the time because of the religious situation...I had a little bit of grief and my parents moved me to [Private Catholic School]..it was not an easy thing for my parents, my mother wanted*

> *me to go there, she worked cleaning people's houses and doing jobs, so she could afford to put me there. (John,1966).*

Here, John reflects upon the relationship problems which occurred with other children in the community whilst he attended a state school in a large urban town. In common with Ernest, religion played a large part of his daily routine and expectations were placed upon him by his mother and grandmother. John is less clear concerning the extent to which religion played any part during his police career. He was very conscious of the sacrifices made by his mother to pay for him to attend a private catholic school and this influenced the telling of his narrative - 60 years later.

In the extracts below, Veronica, Jill, Sax and Sunny explain how contrary to John's experience concerning religious tensions with school friends, religion played a role in bonding their respective communities and between them with their friends. As such, there is some notion that they appear to have a heightened sense of the meaning of community when compared to some of their peers within the sample group for this research. As such, religion played an important part in their social identity and moral development:

> *"Quite a close-knit community? I went to a youth club um, which was part and part of the church, that I sort of got involved in through the primary school, that was good, good bunch of local, youths yeah, so I think [Rural town] like I say it is a small market town...so it is, quite a nice environment" (Veronica,2015).*

> *"I think, it was my community so, I think lasting impressions were that you got lots of different people that went there...so different ages, people from different backgrounds...um...understood to a degree that there was a common...a common bond that brought people together, um...the church...it probably did have a big impact, the church that we went to in [City], was the central church for most of the students, so there was a very, very, young vibe at that church, so whilst there were different people and different types of students a lot of them were aged between 18 and 23 or 25 that sort of thing" (Jill,1989).*

> *"Yeah, so...my local community um, where I used to live, everyone was involved with each other...everyone knew what you were doing. You were encouraged to go to the mosque…. [I learned] to respect others and go to the mosque, do charity work. I have done a bit of charity work every so often, but there is loads of things like happiness and peace within yourself like growing up, engaging with people, doing things for others, doing things for your family, you know you have got a guide. The Qur'an is a guide and...you know you can read it….I have seen, things in my life, prayer wise that I have done, I wanted to join the police and my mother was like make sure you pray make sure you pray five times a day, and I sometimes thought well why I am not getting a successful job why am I not getting this but then, you know, I...in my thought process I started praying a lot more, and yeah look where I am now"* (Sax, 2015)

It can be seen in the extracts above and below, how involvement in religious practice across multi-faith systems allowed Veronica, Jill, Sax and Sunny and more widely, Ernest, John and Thomas to experience a mutually heightened sense of community engagement and the goods which flow from it. These goods also extended more widely than the practice of faith itself. This is a positive finding in so far that, for the public to demonstrate support for policing by consent and further, develop a moral alignment; it is premised upon the notion of "shared moral purpose and common commitment to collective goals" (Jackson, Bradford, Stanko, & Hohl, 2013, p.17). Whilst this religious practice was developed by the participants prior to them joining the police service, it was an experience and a feature of their ethical character which they must have taken with them when recruited (Caldero, Dailey, & Withrow, 2018). However, this is an awareness which the recruitment selection process for the police service had not necessarily explored as demonstrated by George (Ibid, p.121-2) with his observation concerning the recruitment process favouring the recruitment of individuals in the image of the recruiters and not the community it serves. What, then, does this say about the pursuit of moral alignment by the

police service in support of procedural justice and legitimacy? If indeed, as already discussed, this is considered important to them.

In response the police service could reasonably argue that equal opportunities legislation precludes biased selection or positive discrimination for employment in a manner which favours or disfavours an individual with a protected characteristic - such as religion (See: *Equality Act 2010*). Prideaux and McFadyen (2013, p.458) also highlight an "assumption that, in community policing, the recruitment of police and PCSOs from diverse religious backgrounds will ensure better policing". Therefore, there appears to be an irony insofar as George believes that recruitment practices favour the more traditional individual characteristics that he referred to, whilst selection of individuals with more diverse characteristics are not actively pursued or precluded by policy. However, the police service are happy to exploit serving officers who possess religious faith after they have joined. As Prideaux and McFadyen (2013, p.458) further highlight "The individual police officer or PCSO who happens to be Sikh, for instance, also becomes the local expert and the 'route in' to engagement with a community for their colleagues".

Whether or not this outcome turns out to be a happy coincidence for the recruiters or a positive response to sensible policy decision-making is irrelevent here. It is significant because the data suggest that 12 out of 16 participants from varied belief systems appeared to have developed a heightened social or moral awareness concerning the importance of communities prior to joining the police service, and equally importantly, it formed part of their character. Thus, it was not 'trained' into them after joining (See: Morrell and Bradford. 2019). It seems that, any such awareness by participants who as members of the

community, shared mutual beliefs concerning the importance of community

prior to joining the police service, provides some grounds for recruiters to reflect

upon their procedures to draw out this potential and close the gap that George

alludes to. The following extract from Sunny reinforces this point:

> *'Um...it is a tight community [Sikh] you know they look out for each other, it is a case of when you need a helping hand you have got the community there to give you support, um, and then you know guidance and you know that is a big thing like we have got our, we have got, used to have a small temple we would get together the time we would be able to get together it is like going to Sunday church, we would do that once a week you would attend, do your prayers and it was a way of meeting up with your community and so, that is how you learnt about it, that is the way I learned about my religion my culture my roots. I had my parents, but like I said we were always busy with work, work, work...so there had to be a little side element of where I would learn about the religion and culture. Yeah, you can learn bits and pieces from your mum and father, but I think the majority of it came from attending my temple, listening to others, listening you know, just making new friends, in that environment, um and then that obviously gave me an understanding of, what my roots and my culture is and so forth"* *(Sunny,2015).*

Finally, MacInyre (2012) offers another crucial insight which links the narratives

of the participants discussed throughout this chapter with the thesis being

advanced here, in the context of the development of the practice of policing

and the identity, character and actions of those who engage in it.

> In what does the unity of an individual life consist? The answer is that its unity is the unity of a narrative embodied in a single life. To ask, 'what is good for me?' is to ask how best I might live out that unity and bring it to completion. To ask, 'what is good for man?' is to ask what all answers to the former questions have in common. But now it is important to emphasize that it is the systematic asking of these two questions and the attempt to answer them in deed as well as in word, which provides the moral life with its unity. (pp.218-9)

How, then, does this extract from MacIntyre, cited above, contribute to the

development of an analytical framework through which the data and the

participants' perceptions - cited throughout this chapter, can be understood?

Firstly, MacIntyre alludes to the importance of reflection for individuals to be able to place any importance on, or question any links between, their own moral good and the good of the communities of which their life is a part. Secondly, MacIntyre (2012) develops this point by linking the unity of a narrative embodied in a single life to quests linked to a *telos*, without which there could be no beginning of a quest.

The narratives explored throughout this chapter provide sufficient grounds to suggest that many of the participants have reflected upon the narrative unity of their life and linked it to a quest to do good in the community as a motivation to join the police service and in developing their quest to become morally good police officers. As MacIntyre (2012) further argues:

> It is in looking for a conception of the good which will enable us to order other goods…to extend our understanding of the purpose and content of the virtues… which will enable us to understand the place of integrity and constancy in life, that we initially define the kind of life which is a quest for the good. (p. 218-9).

Ernest seemed slightly embarrassed (Ibid, p. 126) when he suggested *"I wanted to, probably do, sounds a bit twee, but I wanted to do good to others and not to fall foul of any moral code myself, that was important to me"*. However his observation is consistent with many references made throughout this chapter concerning a desire to good in the community and further references to the requisite virtues - the exercise of which would deliver fair, just, honest and transparent police practices. All of which are wholly consistent with the procedural justice literature discussed throughout this thesis.

Conclusion

In conclusion, it is argued here that the data presented throughout this chapter highlights the importance of understanding the relationship between the moral character of police officers and the practice of ethically, good policing. The data also highlight the participants' perceptions concerning the concept of moral alignment in the relationship between the police service and the communities they serve – as a means to inform and improve relationships between them, to foster effective procedural justice practices and to reinforce their legitimacy. This data demonstrate many consistencies amongst the perceptions of the participants, but it also presents some inconsistencies with the literature on legitimacy and procedural justice which has informed this thesis (See: Bottoms & Tankebe, 2013; Beetham, 1991; Jackson, et al., 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Tyler T, 2003; Tyler, 2006).

Significantly, the data suggest that police recruits who have already acquired a morally good character at the time of recruitment, seem to possess a heightened understanding of the virtues necessary to develop morally good policing practices. This differs from the current situation in so far that the police service places much reliance upon the role of police training to develop morally good police officers after they have joined (See: Morrell & Bradford, 2019). The significance of this finding can be reflected upon in the context of the recent drive by the College of Policing towards improving police officer's ethical decision-making by embedding into police practices, the National Decision Model with the Code of Ethics at its core (See: College of Policing, 2014). However, as already stated (Ibid, p.118) by reference to Kleinig (1999) 'blind obedience to the principles and standards of the Code of Ethics does not

improve police officers moral decision-making or explain how officers deal with any moral conflict*'.* Thus, reaffirming the importance of acquiring a virtuous character and acting from it (Aristotle [c325 BC], (2009). Further, Westmarland (2016) and Westmarland & Rowe (2016) cited earlier in this thesis (p.17) argued that it was possible for officers to adopt corrupt police practices i.e. 'noble cause' corruption; whilst still acting with honesty and integrity and claiming the moral high ground to justify their conduct. Data presented in chapter 4 and elsewhere also suggested that knowledge of the Code of Ethics has not been embedded effectively into police practices and this was supported in the findings of the report by the Home Affairs Committee on the College of Policing: three years on (2016). The College of Policing was criticised by the committee for failing to embed the Code of Ethics effectively, and the report cited a number of flaws in high profile cases involving the police - as reasons why they should have done. They further argued that the Code of Ethics should have the same status as the *Hippocratc Oath* with a requirement for all officers to sign it and a copy held by the College of Policing (Home Affairs Committee, 2016). It is ironic, however, that the same report commented upon a number of other inconsistencies in recruitment and training of police officers which could partially explain the issues associated with embedding the Code of Ethics into the fabric of policing. This being the case, there are sound reasons to reflect upon the capacity of the Code of Ethics to deliver on its policy objectives if those individuals who should be guided by this code, have little or no knowledge of it. In contrast, however, a morally good character who has already acquired virtue in the sense that Aristotle conceives it, is more likely to adopt morally good policing practices

without any guidance from this code. It is this perspective which this chapter has explored.

The data highlighted throughout this chapter presents a strong case to suggest that a morally good character is, as MacIntyre (2012) suggests, a feature of the unity of a whole life narrative and is developed from birth - through childhood socialisation - the socialisation of beliefs, and for some, through their faith. As such, the data highlight how, through religious beliefs and practices and involvement in pro-social activities during childhood, the participants acquired an understanding of the importance of moral practices. Importantly, throughout these practices, they also acquired the requisite virtues which they could later use to improve their policing practices and develop them into morally 'good' police officers. Essentially, it became a feature of their character.

The developing thesis is that the participants, with experience of policing - ranging over 6 decades - from the 1960s to 2015, share many similarities from their life narratives which should or ought to have guided them to morally good policing practices. For example, Ernest (Ibid, p.183) was sincere in his statement that he wished to do good to others in the community and not fall foul of any moral code, himself. He joined the police service during TP1 and had retired before the Code of Ethics were published and therefore, they could not have any influence upon him during his own police service. It is argued here that his character had been shaped and moulded throughout his life – through childhood socialisation and the involvement in religious practices that he articulately reflected upon throughout his oral history. It was this character that informed his conduct throughout his career in the police service. It is also significant that Ernest is supported by another 11 participants who shared

similar experiences to him. All of whom shared a heightened sense of community and of the goods which can flow from morally good policing practices. Importantly, this was also a feature of their characters.

However, religion was not the only influence on the development of a morally good character amongst the participants, as Laurie made clear from his narrative. Laurie told of experiencing bullying during childhood and how the injustice of this behaviour, drove him to dispense summary justice to other bullies in the community when opportunities were presented to him. Laurie was vehement in the justification of his own conduct and was clear that he only did what he saw as fair in the circumstances.

Finally, in common with the findings in chapter 4, the narratives presented in this chapter appear to depart from many of the central tenets of the literature on procedural justice and legitimacy. Within this chapter, data has been explored which highlights that, to a large extent, the participants are quite cynical concerning the possibility of a moral alignment with the communities they served. Save for Ernest, most participants did not see any requirement to pursue such a relationship, either. Therefore, the thesis presented thus far, has argued that police officer's perception of their own legitimacy is rooted in the rule of law and their oath of allegiance to the queen and not arising from their relationship with the public and the participants do not share any notion of a moral alignment with the communities they serve or recognise any requirement to pursue it.

This may be in conflict with the minimum requirements of the legitimation of power as Beetham (1991) defines it. However, this does not mean that the participants do not understand the importance of developing morally good

policing practices as they have demonstrated throughout this chapter. It is argued here that these differences in perception are a feature of the dialogic nature of these debates which Bottoms & Tankebe (2012) referred to.

Essentially, whilst the police service may have different perceptions concerning procedural justice and of their own legitimacy, or they use a different language to express it, the outcome may still be the same concerning morally good policing. This assertion will be developed in chapter 6 where the data is explored to reflect upon the moral tradition of policing from the perspective of the participants - as serving and retired police officers - and demonstrate how this tradition infomed their practices.

Chapter 6

An Account of what constitues the Moral Traditions in which

the Practice of Policing has Evolved

> "*What is the good life for a fifth century Athenian general is not the same as for a medieval nun or seventeenth century farmer. It is not just that we live in different social circumstances but that we approach our own circumstances as bearers of a particular identity. I am someone's son or daughter or cousin, police officer, tradesman. Hence, what is good for me must be good for someone who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, rightful expectations and obligations. These constitute the given of my life, the moral starting point. This is what gives me my moral particularity*" (MacIntyre, 2012, p. 220)*.

6.1 Introduction

In the opening extract above, MacIntyre (2012, p.220) highlights how inherited "expectations and obligations" follow on from being the 'bearer of a particular identity' shared with others who perform similar roles, and how these identities provide both a "moral starting point" and "moral particularity". To place this statement in its proper context and link it to the practice of virtues within morally good policing, MacIntyre (2012, p.187) further argues that in order to understand the practice of a virtue, it is necessary to follow a framework comprised of three parts: a background account of a practice; a narrative account of a human life: and an account of what constitues the moral tradition in which the practice is applied - each part of which informs the next stage. The first two accounts were explored from the data I presented in chapters 4 and 5. In this final chapter detailing the research findings, data will be presented that highlights the participants' perceptions concerning the moral traditions which have informed their practice and their perceptions of the communities in which

they serve(d). Further, how these moral traditions have informed the development of morally good policing, and the development of character and the virtues required by police officers to deliver it – having evolved over many years by tradition and practice. An example was highlighted earlier in this thesis (Ibid, p.25) by reference to Melville (1901):

> Our English police system…rests on foundations designed with the full approval of the people, we know not how many hundreds of years before the Norman Conquest, and has been slowly moulded by the careful hand of experience, developing as a rule along the line of least resistance. (p.ix)

It is over 100 years since Melville (1901) wrote this account but from a contemporary perspective, elements of it support MacIntyre's thesis. For example, Melville (1901) discussed the evolution of the Office of Constable from pre-Norman foundations and yet, throughout this thesis, there are strong links drawn from the oral history interviews conducted for this research, which demonstrate how the independent status of this office continues to inform police officers perceptions of their practices in the 21st century. Further, how this independent status impacts upon the participants' self-perceptions of their legitimacy to practice. I argue that this serves to endorse the analytical and theoretical framework derived from MacIntyre (2012) and methodologically, the decision to use oral history interviews to gather this data.

However, of equal importance, these participant perceptions concerning the Office of Constable also reflect a point made by Dixon (1997) who argues that every constable is his/her own legal entity with considerable discretion invested in them and invoking this discretion does not necessarily require deference to other sources of authority. This statement seems incompatible with the contemporary notion of policing by consent and also with the raft of literature

which discusses the potential benefits arising from positive relationships between the police service and the public based upon procedural justice interactions. Dixon (1997, p. 26) further argues that, "when the law is unclear or ambiguous", any decisions made under the veil of this discretion are informed by "their own occupationally structured, learned, subcultural common sense" and this creates problems for effective policy making by police managers. However, it is a central tenet of my thesis that Dixon's perspective is too narrow and arguably, it ignores the possibility that such decisions may also be informed by the individual good character of constables who know what is required of them and are able to exercise sound judgement to deliver morally good decisions. Dixon (1997) does, however, raise worthy concerns regarding the likelihood of police officers exercising - clearly expressed – institutional and individual virtues and this point will be developed throughout this chapter.

It has also been shown throughout this thesis how the 'Office of Constable' with its concomitant link to the rule of law presents many inconsistencies between the participants' perceptions of procedural justice, moral alignment and legitimacy and much of the literature which informed this thesis. However, despite this fact, data will be presented in this chapter to highlight the participants' perceptions of the developing moral traditions of their practice. This includes consideration of what policing is for, what makes a good police officer and, further, what they consider to be good policing – reflected over a timespan covering six decades of policing (1965 to 2015).

I argue that many of the participants, whilst unaware of the complexities of the literature on procedural justice and legitimacy, share a sense of what good policing is and of the importance of exercising the requisite virtues to deliver it.

Their perceptions are reflected through the character and values of what they consider to be a 'good police officer'. Muir (1979, p.3) considered that a good police officer requires the development of two virtues "Intellectually, he has to grasp the nature of human suffering. Morally, he has to resolve the contradiction of achieving just ends with coercive means". And yet, as Muir (1979) develops his thesis, he cites a participant who was clearly aware that his moral judgement was informed by many more influences. For example, his past life, his family upbringing, involvement in religion and his life experiences. Consistent with MacIntyre (2012), I argue that these insights will have informed the development of many more virtues – wisdom, empathy - to name but two. For this reason, it is central to this thesis that the requisite virtues of a good police officer are, as MacIntyre (2012, p.219) formulated them, to be understood in a particular way although it cannot be said that this moral character and the values which shape it, have been acquired by every officer in the same sense. This is so because each individual is the bearer of a 'particular identity' shaped by their narrative history and this informs their moral particularity (MacIntyre, 2012, p.220). What is essential is that they should share some notion of the good for all individuals who inhabit the same role of a police officer in which, their "moral identity is to be found in and through membership of the communities" they police (MacIntyre, p.220, 221). Muir (1979, p.190) also highlights how a "policeman's moral philosophy is critical in how he performs his job" These concepts will now be developed from data which reflects the participants knowledge, understanding and perceived purpose of the recently published Code of Ethics and its relationship with morally good policing.

6.2 Ethics and the Good Police Officer

Policing, by its very nature, creates a number of moral and ethical dilemmas which are central in any examination of a moral justification for the considerable powers vested in them. Whilst Kleinig (1999) suggests that the usual starting place for a moral justification begins with social contractarianism (See also: Locke, 1689); there are times when the executive functions of policing are called into question and usually arise when faith in the police service has been lost or damaged. This, in turn, leads to questions concerning the legitimacy of police practices as moral traditions change and public expectations of policing evolve. The response from the executive often involves a change of policy and direction. For this reason, it has already been discussed in this thesis (Ibid, p.49) how in 2013, Theresa May MP (then Home Secretary) introduced the newly formed College of Policing. Its purpose was to reform and professionalise the police service in England and Wales and further, to set out the ethical standards for the police service to uphold (Home Office, 2013). It also presented opportunities for the executive to express the context of both individual and institutional virtues for good policing in the sense that this thesis and Morrell and Bradford (2019, p.20) have sought to do. A year later, the Code of Ethics were published which laid out the principles and standards of behaviour expected by all police officers in England and Wales (College of Policing, 2014). However, I argue that, essentially, assumptions were made that the publication of this code would change/inform the morality of police decision-making and practice and this led to the wrong message being received by those individuals who should/ought to have been informed by this code. Kleinig (1999, p.2) illustrates the problems associated with such assumptions

by suggesting that practical conclusions "do not, unproblematically, follow such mantra's and formulae". MacIntyre (2012, p.221), too, is critical of such an approach by suggesting that it the "moral particularity" of an individual, informed by the narrative unity of their existence which is the proper starting place, rather than a search for "universal maxims" in a Kantian sense. It is, therefore, no surprise that three years later some questions remained concerning the extent to which the code had been implemented and as such, how well it was understood, how well it had been embedded into police practices and most importantly, how it had informed more ethical policing practices[14] (Home Affairs Committee, 2016).

At the time of gathering data for this research, 9 of the 16 participants were still serving police officers and would have been expected to receive some training in this code. The extent to which this is so was highlighted in chapter 4 in discussions concerning the focus of police training practices – socialisation, learning the law and the police use of discretion. The data suggest that whilst some officers had received recent training concerning the code, they did not seem to fully understand it (See: Sax and Sunny, p.148-9). They discussed it in a very procedural way wrapped in terminology such as, 'box of law' and 'dashboard decision model'. For other officers, the code remained unknown to them. The following extract from Sax is a further example concerning the level of understanding by the participants:

> *"It is like a description, like if you buy clothing you get a description label on it. So you have got a booklet [Code of Ethics] and it is a*

---

[14] Since the publication of this report, the College of Policing has developed a Policing Education Qualifications Framework (PEQF) intended to support the development of policing as a profession and raising educational standards. This provides for more detailed education in ethics (College of Policing, 2016)

description and it describes what their, beliefs and thoughts were, or someone sat there and...made up this...NDM model - national decision making model - your selflessness your openness...your objectivity, your respect, accountability fairness...integrity, you know...all of these mnemonic...but that is their beliefs...with[in] a little paragraph" (Sax,2015).

Whilst the extract presented above demonstrates that Sax is able to recite many of the values which, according to the code, should or ought to guide morally good policing practices – respect, fairness and integrity - it also illustrates a clear lack or depth of understanding of the purpose of the code of ethics and as such, Sax does not appear to place any value upon it. I argue that, as such, it will have had a limited impact upon his moral decision making. His use of the analogy of a description label on an item of clothing may be apt for him. However, what it cannot explain is whether this is a personal oversight, a lack of understanding or as the Home Affairs Committee (2016) suggests, an institutional failure. If it is the latter, it would present some difficulties for the assertion made by Morrell and Bradford (2019) that policing requires pursuing the good through institutional virtues as well as individual (Ibid, p.143). In his wider narratives, Sax was able to demonstrate a deep sense of meaning when discussing his community and the goods which flowed from his involvement in religious practice (Ibid, p192-3) and to an extent, his police training. It seems unusual, then, for him to appear to be so flippant when discussing the Code of Ethics. I argue that it may also be, as the data suggest, that the Code of Ethics and the concept of ethical policing has been taught in a procedural way, if at all, without any explicit links being made to moral conduct.

The following extracts from Catherine, Elizabeth and Sunny suggest that this is so:

"No [training], years ago we would have had a day's training about how relevant this was, how important this was, what we should be doing, what we should be checking with our staff, certainly as a supervisor, you would have had this is, what you should be doing as a supervisor. We have had absolutely nothing" (Catherine,1991).

"They [police officers] are trained when they first get here, they are given the full speech of you are a police officer, this is Code of Ethics, this is the behaviour we expect, do they do it? No, do they? I do not think some of them realise what holding a warrant card means...at all. I do not think that is even on their radar" (Elizabeth,2003).

"[The] College of Policing have put a perfect sort of balance [on] sort of everything that needs to be out there for a police officer. You know, equality, professionalism, you know? All of that it is all well and good, no doubt about that. Now I agree with it, that should be there, but is it really out there? It is hard to you know, hard to answer that, because like I said, every single officer is different. Does every officer share that same belief in it? or have they taken bits and pieces of what they feel is right and the rest of it is, 'no I am not really too fussed about that'..." (Sunny,2015).

It can be seen in the extracts above from Catherine, Elizabeth and Sunny that their experience of training in the Code of Ethics has been minimal and as such, so is any developed understanding of it. They appear very frustrated by this - Catherine because she senses that training should have been given, Elizabeth because training is provided but not absorbed and Sunny, because he senses that some police officers only hear what they want to hear and, as such, miss the point entirely. Millie and Hirschler (2018) observed a similar situation when re-interviewing their new recruits 6 months later, to the extent that some commented that in the real world of policing, less emphasis is placed upon ethics.The following extracts from Veronica and Jill reinforce this point further:

"[Veronica exhales] they [police officers who joined before the publication of the Code of Ethics] would probably just say 'what?' You know, 'Code of what?' I do not think they have as much understanding. They probably see it in posters around buildings, police buildings, and sort of look at it and go 'right then'. They are probably set in the ways that they were taught and, you know these

words are very corporate and very sort of you know, current, but actually are what makes good police officers. I think you would probably get that response from people" (Veronica,2015).

"Goodness me, that is [laughs] going a leap, right key to that is, um, you know we are here as a service to serve the public, um so public opinion is hugely important, um, I do believe that they are, you know it needs to be ethical, and that is always a debate as to whose ethics and who decides what is ethical, but that decision making...process has got to have an ethical moral basis to it" (Jill,1989)

In the extracts above, Veronica, who joined the police service after the publication of the code is sceptical concerning the lack of training given to serving officers at the time of publication. She makes clear references in a disparaging way to posters displayed on police station walls and how they may have been regarded by other officers in a negative way. This highlights her perception concerning how ineffective the publication of the code has been albeit, in principle, she senses some importance of the virtues expressed in the code. Jill, too, expresses some sense of what the Code of Ethics means, and she links it to the importance of public opinion as well as the difficult nature of debates concerning moral conduct.

As a sample of views on the effectiveness with which the Code of Ethics has been introduced and how it has informed a change in police practices, this does not present a very positive case. It is, however, consistent with the observations of the Home Affairs Committee Report (2016). The message seems clear that not enough importance has been placed upon it. As the participants have suggested, this may be something to do with the way in which knowedge of the Code of Ethics is delivered in a very procedural manner as part of initial police training, rather than a more developed insight being taught by individuals who understand the subject well, such as part of a higher education programe.

However, it is also of interest that as Kleinig (1999) argues, many organisations, public and private, have published a code of ethics but the purpose is not always to improve the moral conduct of its members. Instead, it is, as he suggests, intended to have the effect of reinforcing faith and belief in its customers in respect of the services it provides without necessarily changing the product. Whilst the reasons for the introduction of the police Code of Ethics were clearly stated by Theresa May MP in 2013, I argue that the outcome, informed by the data gathered for this research, appears to be more in line with Kleinig's (1999) observations. The significance of this fact is that it is central to this thesis that the police service should or ought to develop normative relationships with the public based upon trust, confidence and alignment of values – supported by morally good policing practices. As such, the introduction of the code is consistent with the raft of literature on procedural justice and legitimacy and also in line with the recent publication by Morrell and Bradford (2019, p.60). However, I argue that what is less clear is the extent to which the publication of a Code of Ethics has guided the [wider] police service in this quest. The data presented in this thesis cannot be generalised to make any claim regarding this. However, I made a similar point earlier in this thesis (Ibid, p.82) by reference to Kleinig (1999) who observed "that blind obedience to the principles and standards of a Code of Ethics does not improve police officers moral decision-making or explain how officers deal with any moral conflict".

More importantly, I propose that, as the data suggest, insufficient teaching or links to ethical theory have been provided to police officers to exemplify the importance of the Code of Ethics, a developed understanding of it, or its

relevance to the plethora of literature concerning procedural justice and legitimacy which should have informed the development of the code. Finally, the following extract from George, whilst more positive concerning moral change in police practices, also provides a clear illustration of what Kleinig (1999) asserts:

> "Has the moral attitude changed? I think we have done it. It is a bit like the army, if you change your rank you change attitude, you change practice and that is how we have approached the moral question in terms of, some of the things around honesty, integrity, code of ethics. We have changed practice, policy and reg[ulation]s to make everybody fall in line with ways of thinking. I think that is probably quite right to do because ultimately, we are a pseudo-militaristic organisation who follows a kind of a linear, kind of rule book if you like. If the rule book does not say these are the 10 points of professional standards of behaviour, then actually, people do not know where they stand, and actually, people like to know where they stand in this kind of structure. So, have we have we changed? Yes, because we have written a rule for it, and that is what we are good at doing. We are not so freelance as to have the free-floating ideas of this kind of autonomous thinking about the right and the wrong. We like it written down. That is how policing responds to the kind of changing context, if you like. So, in the military, it is the same you know. [A] good example of this is they now permit women to be on the front line in, what do they call it – theatre? You are now allowed to fight alongside women. That changed in their regs and they just go, 'that is what the regs say'. That is what is happening [and] has been expressed to me in that way" (George, 2006).

In this extract, George does not make any mention of training. He places his emphasis upon the importance of rules within organisations - such as the police - in which its members like to know where they stand in terms of the standards expected from them. It is significant that George recognises that "We are not so freelance as to have the free-floating ideas of this kind of autonomous thinking about the right and the wrong. We like it written down". Morrell and Bradford (2019) highlight the difficulties which arise in trying to change and shape police conduct in the sense that George alludes to, whilst they also acknowledge the

willingness of some to try to do so. However, if George is correct in his assertion that the police service are genuinely rule-bound and not freelance in their moral decision making, this raises questions concerning the moral tradition in which the practice of policing has evolved and the impact it may have had on the development of those who engage in its practice. I argue, this is because there is no rule book expansive enough to replace the significant discretion vested in police officer decision making and the requisite virtues required to inform their decisions. Therefore, whilst the standards George refers to fulfil the policy requirements of institutions to standardise the conduct of its staff. What appears to be missing is some thorough education in ethical decision making which may inform the virtues of good policing - not constrain them.

For this reason, it is significant that throughout this thesis and in support of the pursuit of procedurally just policing, I argue that it is the possession and exercise of the virtues of good policing by police officers - supported by their personal values - which offer the most likely route to gain public support, and for the public to recognise the legitimacy of police practices. In this sense, the work of Morrell and Bradford (2019) and this thesis seem to support each other. Where there is departure, it is in the sense that there are difficulties in agreeing the extent to which the institution of policing and the individuals who practice it, share a notion of common goals and values. The implementation of the Code of Ethics is a useful example, as the message about the purpose for implementation - as laid out in government policy and by the College of Policing - does not seem to have reached the lower ranks where this knowledge is deemed to be so important. It is also likely that these goals and values change over time.

6.3 What is Policing For?

To ask the question 'what is policing for?' presents opportunities to explore differences between the participants moral perceptions of their practice with that of the public, politicians, media and the institutions of policing. Further, to also explore whether there is an account evident in the history and tradition of the practice of policing which is consistent with the concept of policing by consent and one which values the virtues of good policing. Data presented in chapter 4 reflected upon policing by consent in the context of the participants perceptions of the source of their own authority and self-legitimacy. Their accounts revealed that they placed more reliance on their oath of allegiance to the Queen and the authority arising from the Office of Constable than any authority arising from policing by consent. From a historical perspective, it has already been discussed how the history of policing can be traced back to the Anglo-Saxon era (See: Melville, 1901). Kleinig (1999, p.11) also argues that "*f*or as long as human societies have existed, the police function has been needed*".* However, it is reasonable to suggest that over time, police practices have adapted/reacted in line with public expectations of them and as required to maintain social control (See: Emsley, 1991; Emsley, 2010; Pike, 1985; Rowe, 2018; Weinberger, 1995). To an extent, over the years, practices will also have been adapted in line with what the executive can afford to pay (See: Loader & Mulcahy, 2003). Loader and Mulcahy (2003, p.3) also refer to the '*desacralisation thesis'* arising from a '*lack of faith'* in policing from 1945 onwards. There is evidence of these changes and of a change of perception concerning policing by consent and the aims and purpose of policing, within the accounts of those participants who served in TP1 from those who served in

TP2. For this reason, I argue that MacIntyre's (2012) analytical and theoretical framework, adopted for this research, has been useful to illustrate the importance of history to a practice and for the development of the requisite virtues to deliver excellence within that practice. Beginning with policing by consent, there appears to be a lack of clarity in the accounts given by the participants concerning this concept and how it would/should provide a moral justification for their practices. The following extracts illustrate some of this tension:

> *"The senior constable that I had described earlier, he very much, influenced me in terms of what you were there to do. Again, it was around communication, he was an intense communicator. He would talk for England, but he knew everybody on his patch, and therefore gained peoples trust. He was an ardent believer in reducing preventing and detecting everything and he was an ardent believer in, keeping order out there on the streets. He also had an extremely strong work ethic as well and would not countenance lazy colleagues. These were things that I liked anyway and throughout my time with him, I think I learned a lot from him"* (Ernest,1965).

Here, Ernest (TP1) provides an orthodox 'golden age' account of 1960s policing as he emphasised how the senior constable placed much reliance on prevention and detection of crime (See: Reith, 1948 and Reiner, 2012). In common with the procedural justice literature, he also highlighted the importance of gaining the trust of the community (See: College of Policing, 2014; Jackson, et al., 2012; Jackson, Bradford, Stanko, & Hohl, 2013; Tyler, 2006).

However, the account that follows from Catherine (TP2) presents a different story as the emphasis seems to have changed from prevention and detection towards reactive policing:

> *"We only have contact with the people that call us because we do not deal with anything else, and because we are sinking in my*

opinion, of responding well to them. You do your best all the time and take what you can. They [the public] are very upset with this or the length of time you take [to respond] etc. So, you try and sort of apologise on behalf of the force and say, 'you will take it on board' and everything else. I would not even know where you go to put their discussion forwards. You know, they have got a point of view [but] who do you speak to? Because the way that policing is divided, you have got an inspector in charge of an area, but they are only in charge of that area for Safer Neighborhood things. They are not in charge of crime, the person in charge of crime is another inspector who is in charge of the whole area, but only between this hour and that hour. So, no one is really, quite frankly, bloody interested in it. They are just interested in their role definition and productivity through their role definition" (Catherine,1991).

Catherine is widely supported in her perception by most officers who joined the police service in TP 2 or who were still serving at the time of gathering data for this research. Jill was an exception as she did not share this view. Catherine highlights how reduced resources and new strategies introduced to deal with rising demand, continue to present difficulties in meeting public expectations of policing, whilst structural issues such as internal communications, presents difficulties in resolving the problems facing them. Finally, George provided an account which is, to an extent, a call for a new Royal Commission in Policing to determine what policing should or ought to be in the 21st century:

"We have never had a proper common space to share understanding of what policing is actually delivered. There has never been a Royal Commission about what policing is about and you [researcher] talk about [this] kind of ethereal notion of the philosopher - What is policing achieving? What is it about? You know, what is it for? The public have never engaged with that kind of level of philosophical debate. My job as a local, well was as a local policing commander, it was to reconnect that conversation with the public around that difficult question, about what are we here for? what are [you] paying for?...You are buying a service, in that service, these are the things that, I am telling you now, these are the things that people are demanding us to help them with. Huge amounts of growth around vulnerability, domestic violence, child sexual exploitation. I have got five [police officers] parading on a day, got massive problems with missing children and mental health at the minute. [To] have a conversation with me about this

because you [rhetorical] want me to put a cop in the morning in Little Melton by the Wold [fictional]. You want me to have a cop standing there at rush hour at the beginning of the day and at the end of the day to give people tickets for speeding in your village? I am really, really, sorry but, I cannot do that...and this is why" (George,2006).

George further emphasises the challenges facing policing in a 21st century context and is not alone in his suggestion for a Royal Commission to be convened to consider the requirements and parameters of contemporary policing. An early day motion was tabled on 9th October 2018 by Stephen Lloyd MP for Eastbourne which was supported by 51 MPs across all parties. In his closing address, Stephen Lloyd suggested that 'The fundamental thing it would give, which is lacking, is trust in the public' (House of Commons, 2018).

In the context of the United States of America, Vitale (2017) is critical of reform measures focused upon enhanced training, diversification of police staff and enhanced accountbility, all of which have been tried in England and Wales. Morrell and Bradford (2019) have also commented upon similar strategies and their capacity to deliver goods in furtherance of the public good. Vitale (2017) is clear that these strategies fail to deal with the problems inherent to policing. In this respect, these accounts from Ernest, Catherine and George are reasonably consistent not only with Vitale (2017) but with their respective peers who served within the same timeframe of policing. However, what is also interesting is that, whilst George has clearly grasped the deeper philosophical dimension of the problem, there is considerable frustration voiced by all of the participants still serving - including George - and those who recently joined. What appears to be missing is any serious reflection upon 'policing by consent' as a moral justification for their continuing practices. Here, George discusses the public 'buying a service'. However, public demands and expectations

remain unmet because the police service are unable to deliver on their own or the expectations of the general public. Whilst this is, perhaps, another example of the 'utopia problem' (See: Morrell and Bradford, 2019), it also lets police leadership and government institutions 'off the noose' too easily by failing to ask whether they are more focused upon extrinsic goods rather than consideration of the intrinsic goods which morally good policing should/ought to deliver.

In their wider narratives, all of the participants cite structural reasons for their failure along with their perceptions that recent directives on policing practices are stifling their desire to do good in the communities, and for the victims and the vulnerable people they meet. There is no suggestion that the College of Policing or a Code of Ethics are the panacea to solve their problems. It is my thesis that it is, in fact, their good character, their strong desire for public service and the possession and exercise of the virtues of good policing which aids them in their quest to deliver upon their own notion of the public good.

6.4 The Public Good and the Practice of Good Policing

Morrell and Bradford (2019, p.20) suggest that good policing means "pursuing the good through virtues (for individuals and institutions); this should be evaluated by proximate goals relating to policing, understood in context". Further, these "proximate goals and demonstration of virtues should be subordinate to an ultimate goal of 'the good' and "Should be demonstrated by the police (individually and collectively) exhibiting virtue" (Morrell and Bradford, 2019, p.20). The pursuit of the common good through institutional virtues is not a matter which has been presented thus far in this thesis. In fact, data cited here and in the previous chapters reflects the individuality and the development of

character amongst the participants and further, how the participants sense that in a time of austerity, recent institutional influences have frustrated rather than enhanced their practices. This is not to say that Morrell and Bradford (2019) are incorrect in their assertion. Simply that this thesis hasn't presented any data to support them. However, it is my thesis that there is an understanding amongst the participants that the police perspective concerning pursuing the good should be understood in context in order to agree upon some notion of the proximate goals which Morrell and Bradford (2019) allude to, or more importantly the quest for the good as MacIntyre (2012) defines it. MacIntyre (2012) also defines the virtues in a different way:

> The virtues, therefore, are to be understood as those dispositions which will not only sustain practices and enable us to achieve the goods internal to practices, but which also sustain us in the relevant quest for the good, by enabling us to overcome the harms, dangers, distractions which we encounter, and will furnish us with increasing self-knowledge and increasing knowledge of the good. The catalogue of the virtues will, therefore, include the virtues required to sustain households and the kind of political communities in which men and women can seek for the good together, and the virtues necessary for philosophical enquiry about the character of the good. (p.219)

It can be seen that MacIntyre's (2012) account places more emphasis upon the practice of individual virtues to deliver the goods internal to a practice as a means of, but not subordinate to, the relevant quest for the good which men and women can seek together. The suggestion being that there is not one good arising from policing practices but perhaps a number of goods which all point in the general direction of the good life for an individual – good policing. In his broader argument MacIntyre (2012) provides the methodology from which this thesis has evolved. The main difference, however, is that, consistent with this thesis, there is no mention of institutional virtues in McIntyre's (2012) account.

In fact, quite the contrary, MacIntyre (2012, p.194) clearly asserts that "practices must not be confused with institutions". He argues, institutions are "necessarily involved in what I shall call external goods" that he describes as power and status - which are extrinsic goods. However, he further argues that whilst practices cannot survive without institutions, it is the virtues of justice, courage and truthfulness which protects practices from their corrupting power. At the same time he argues that it is institutions that "provide the degree of order" which allows the virtues to flourish within a practice and that is the premise upon which this thesis has advanced (MacIntyre, 2012, p.194-5).

The data clearly demonstrate that the participants recognise many of the virtues necessary to develop morally good policing practices and that, as the literature suggests, these practices are required to be sensitive to many changes and that the pursuit of extrinsic goods by institutions may impinge upon their personal virtues. The participants' perceptions concerning policing in a time of austerity have already been explored to highlight this fact and will be further explored later in this chapter. However, social mores also change over time and vary according to the diversity, values and moral tradition of the communities they police. Laurie appears to be cognisant of this fact as, in the next extract, he reflects upon the communities that he policed in East London during the early 1970s and how these communities differed from his later experience. The importance being that something seems to have changed in the participants perception of police practices between TP1 and TP2 and these changes reflect social mores and importantly, moral traditions:

> "Well the community was quite different because...there were, back
> then, it is not the [same] way now. There were lots of shops, small
> businesses...and... they were local people...that had been there

years, you know. They were very much, you would go around, and you would chat to these shopkeepers and all the rest of it, but if you went back now it would be totally different because it has been...sort of, almost sad. It is totally...redecorated in corporate...businesses and everything and restaurants. I mean restaurants, they were there [but] not as many as there are now and, coffee shops were never there. You know there were probably more pubs" (Laurie,1970).

In this first part of the narrative, Laurie sets the scene in terms of the context and the geography of East London and the long-term stability of its residents. In the continuation below, Laurie talks in more detail about the residents and their relationship with the police:

"Generally, with people, all the feedback I ever used to get was, a bit like the neighbour that lived next door when I lived at home with my mum and dad. He used to drive up to Fleet Street to the print and Sundays, on Sunday evening. If I had been home for the weekend, he would drop me back at [the section house]. Anyway, one night he was going to work, I got a phone call, 'can you go to Bartholomew Hospital because Jack has been in an accident' and what had happened at the Bank junction, he had been in a collision with a policeman. I went and saw him, and I said 'are you alright Jack do you need me to do anything right now?' 'No I am alright thank you matey'. I said well, 'my dad is coming up to pick you up and take you home when you have finished' He said well 'right now', and these are the values of the people, he was born on the edge of the City and, brought up on the edge of the City, and he said to me, 'I have just got to go to the police station to make a statement to clear the poor bugger' and he is talking about the police driver who...it would appear was at fault, but that was the way. I do not know whether community is the right word, but that is the way the locals, that was the way they thought then. There was a different outlook. Certainly, with whether you are talking… there were a lot of prostitutes in and around [location] before my time, when I started there was still a couple about two or three, but they were about, and these people, the same with the criminals. You know it was about, the criminals were...sort of thieves really...nicking stuff and their idea was, well, I might not have done this [time] but...you know...I will put my hand up to it, and then they will leave me alone. There was a, there was a definite, thing of saying with the prostitutes, I was led to believe, it was, well I will take this one, you know nick me leave them alone and I will take this, you can take me for prostitution, and that is the way they used to work, allegedly" (Laurie,1970).

This extract is insightful for several reasons. Laurie does not portray a romantic image or make any claim that things were better or worse than in any other period from his service – just different. In contrast to the participants serving in TP2, he alludes to closer relationships with the community comprised of well-established, local people – shopkeepers and public houses. He expresses some emotion of sadness at the changes of this locale to a more corporate identity, but most importantly, he highlights the unique relationship between these local people and the police. Firstly, his example of when his neighbour went out of his way to provide testimony - deliberately intended to 'get an officer out of trouble' following a minor accident. Secondly, with his example concerning the 'thieves' and 'prostitutes' whom Laurie implied were happy to accept a periodic arrest in return for a quiet period of 'turning a blind eye' to their activities. Laurie is, without realising it, discussing an example of a moral tradition in which these normative relationships were able to flourish.

In support of this account, Weinberger (1995, p.168) also refers to oral history accounts concerning policing in the West End of London and other cities, in which the accounts reveal that prostitutes received similar treatment and were often arrested by 'rota' when it was their turn. Whilst these sex workers were regarded as useful sources of information, they also enjoyed a relationship with the police and viewed them as '*friends and protectors'* with whom there was a level of tolerance as long as their activities did not run out of control (Weinberger, 1995, p.169). This is another example of normative compliance from the perspective of those who enjoyed such a relationship with the police. (See: Tyler, 2006), but seen through the lens of Laurie, a police officer. There is also something about a mutual sense of the virtues - fairness by not 'rocking the

boat', trust, and to an extent, loyalty. Laurie does not use the language of ethics, procedural justice and legitimacy, but he seems to understand the central tenets of it and he implies that through these relationships and the exercise of the virtues of good policing, police legitimacy was both upheld and sustained through a moral bond with these individuals, and to an extent there was a moral alignment of police practices at this time and place (See: Jackson, Bradford, Stanko, & Hohl, 2013). As such, in the context that Laurie alluded to, "the social and moral connection between the police and the public was at the heart of the co-production of social order*"* (Jackson, Bradford, Stanko, & Hohl, 2013, p.18). In his wider narratives, Laurie provides many other examples, all of which further demonstrate the character of the police officers, the exercise of requisite virtues and a sense of the moral traditions of the communities in which they policed.

This is important because, according to Tyler (2006,p.3; Ibid,p.62), a central tenet of police legitimacy lies in the notion that "legal authorities know that the key to their effectiveness is their ability to make laws and decisions that will be followed by the public, so they try to act in ways that will promote public compliance with the law*".* In other words, there would need to be mutual agreement concerning which laws the police choose to enforce more purposefully and further, the development of normative relationships with the public based upon ethical values, which would inform the morally good policing practices necessary to support such an agreement (Tyler, 2006, p.23). There is clear evidence of this in the account offered by Laurie and the outcome was also, as Rawls (1999) suggests, that it allowed the characters that Laurie discussed to agree upon the range of acceptable behaviours and to decide

upon the benchmarks which they regarded as legitimate and morally good policing (Ibid, p. 39). This included the periodic arrests by rota with an implied understanding that the police would 'turn a blind eye' to their activities as long as they did not cause a wider public nuisance.

However, it does not naturally follow that such public perception would influence all police officers' perceptions concerning the nature and legitimacy of their own policing practices. Simply that it seemed to work at that time and place and within that moral tradition. (See: Beetham, 1991; Beetham, 2013; Bottoms & Tankebe, 2012). Contrary examples can be found within the ongoing controversies concerning the legitimacy of stop and search practices in England and Wales where these normative relationships do not seem to have been developed, even though police rhetoric implies that these practices are essential, effective and legitimate (Ibid, p.55). Vitale (2017) also highlights how African Americans feature prominently and disproportionately in USA police shootings as well as low-level policing activities. What, then, does this say about police practices at an individual level? For example, it is highly unlikely that the specific practices that Laurie alludes to would be acceptable in the 21st century and perhaps, the institutions of the 1970s may not have sanctioned them even then.

6.5 What Makes a Good Police Officer?

Based upon the discussion so far and upon reflection of the last account from Laurie, I argue that the concept of 'a good police officer' and the values which shape their character and identity are broad and as such, it is unlikely that there will be a general consensus on this subject from an institutional, organisational,

policy-maker or public perspective. It must also be acknowledged that in sociological accounts of policing, there co-exists a number of cultural perspectives and limitations that the literature suggests may influence police officers' perceptions of a good police officer (See: Chan, 1997; Herbert, 1997; Holdaway, 1983; Loader & Mulcahy, 2003; Muir, 1979; Reiner, 2012). For example, in the extract below Christine (TP1) highlights how in times of pressure, she perceived that her personal values were compromised by organisational needs. This tension arose despite her positive perception of 'mission orientation' - the cultural driver within policing 'to get the job done' (See: Reiner, 2012) which is generally regarded amongst police officers as a virtue:

> *"Yes...I, I think normal behaviour was get the job done...and, the values...I think were...good and responsible values...but sometimes it was, it was a bit hard to see through everything that was being thrown at you. You know, if other people were like me, they were having a lot of stuff thrown at them which was, which was new and you had never seen before and you had never heard before and that is, you know, it is tough. To sort all that out, and it was very busy…… I often found that my values by not being able to see beyond it, see a little bit more and a bit deeper, were compromised. That was not seen as being important at the time and that came from senior officers. It did not come, I do not think from rank and file, it came from senior officers, then"* (Christine,1981)*.

This extract from Christine is arguably another example of the '*utopia problem'* referred to by Morrell and Bradford (2019, p.24). They suggest "there will never be a time when the 'public good' has been reached or fulfilled*"* – largely because society as a whole is comprised of a number of "interest groups with different goals and values which are destined to be in conflict" (Morrell and Bradford, 2012, p.24; see also Vitale 2017). Arguably, as already discussed, these conflicts will also occur between the extrinsic institutional requirements of policing (as seen from the perspective of the senior management), and the

personal goals and values of the police officers engaged in daily, face-to-face contact with the public (See: Morrell and Bradford, p. 1-4). It is significant, however, that Christine was aware that her own values and character were driving her to do good or to do better whilst recognising her own inability to "see beyond it, see a little bit more and a bit deeper".

However, the following extract from Catherine who joined in TP2, demonstrates how policing in an era of limited resources is driving practices which are oriented toward the instrumental requirements of institutions and less toward the needs of the community or in line with the values of the police officers engaged in these practices. Importantly, these practices are not informed by changes in moral traditions as there is no evidence that the public requires them. Catherine exhales as she provides her account and the frustration in her voice is evident. It is also significant that she is not the only participant from TP2 who suggested this:

> *"Um, if you ignore the community side [exhales] most of our work is inside the police station, so what makes a good police officer is somebody whose computer skills are very, very good, because that is what it is all about - putting it on a computer and, you know in terms of, if it is intelligence put it on a computer, if it is about a vulnerable person put it on a computer, if it is about a crime, put it on a computer, it is all computer based. Whereas, we cannot ignore the community and that is the difference, but what would be deemed a good police officer would be productivity from the computer...so...you know if you, do your computer work quickly and you are efficient and you understand all the different computers and the different programmes and you are really good at this, even remembering your password, you know that you are deemed a[n] [administratively] good police officer from that"* (Catherine,1991).

It can be seen from this extract; this is not an example of the utopia problem as previously discussed. For Catherine, it is her perception that institutional requirements for meticulously recording things on computers [for measurement and performance management] and the environment in which she serves,

frustrates consideration of the goals and values of the community and indeed her own. Essentially, a conflict arises between Catherine's own values and character and her desire to do good on a personal level, with institutional requirements and management of the practice of policing. The following extract from Ernest highlights how this may occur:

> *"I think at the end of the day; it is the same as any other business [Ernest exhales]. What is it you are striving to do? You are striving to get results, and it is a results culture that probably, permeates from the very top. The pressure is applied at government level through the Home Office to individual forces because, if we do not get results you do not get the money. If you do not get the money, we [police] will not survive as a business, and therefore, that pressure, translates at different levels into a different reaction and when it gets to a station level, the answer is our station has got to be better than the next station. So, almost a peer culture then says, we have got to have the right results [and] do not care how you get them, go out and get them. It then translates into how the individual perceives that they should go out and get them" (Ernest,1965).*

In essence, Catherine perceives that policing has become too administratively bound, ensuring that all records are kept up to date on the computer - whether it is a crime report or recording the details of a vulnerable person. Whilst Catherine acknowledges that these records are undoubtedly important at some level, she contrasts this activity with the importance of not ignoring the community. This is, to an extent, missing the point of record keeping as the records are undoubtedly kept so that they are not ignored, as well as providing means to measure performance and progress. This is not a poor reflection on the character of Catherine as she was clearly frustrated by this activity and made this clear in her wider narratives. Catherine is also supported by Ernest who contextualises why these processes evolve.

It is acknowledged that some supervision and performance management is important as Morrell and Bradford (2019, p. 56) highlight that "police officers

cannot be forced to do the right thing in any consistent or sustainable fashion".

Hence the requirement for enhanced accountability measures - such as the

annual thematic inspections of the police service in England and Wales -

introduced against the backdrop of austerity and a need to demonstrate value

for money (Her Majesty's Chief Inspector of Constabulary, 2016). These

measures also allow for broad examination of how the police service responds

to calls for service; acts with integrity and deals with corruption, and finally, to

enable reflection on the findings of various surveys - The Crime Survey of

England and Wales, victim satisfaction surveys concerning domestic and child

abuse, and crime data integrity (Her Majesty's Chief Inspector of Constabulary,

2014). These inspections require access to significant performance data of the

type which Catherine alludes to. However, it is the perception of Catherine and

Ernest that gathering this data frustrates more than it complements their

practices. Brodeur (1998, p.219) also argues that many measurements of this

nature are likely to fall into the category of 'outcomes' rather than being

'evaluative', which he argues are "poor indicators of the external impact of

policing". Reiner (2012, p.93) has also commented on measurement of police

performance and what a "notoriously slippery concept to define and measure"

it actually is.

However, despite the perceived importance of these extrinsic requirements of

performance measurement to institutions, it is my thesis that police officers -

skilfully deploying virtues in any contemporary moral tradition and in the proper

context - would achieve the same result that Laurie alludes to in the context of

policing East London in the 1960s. It is also clear that many of the participants

still strongly wish to deliver the public good by morally good policing and the

exercise of the essential virtues (See also: (Millie, 2017; Morrell & Bradford, 2019) .

6.5.1 The Virtues of a Good Police Officer

The desire for public service as a motivating factor to join the police service has already been widely discussed in chapter 4. However, when discussing the perceived morality of police practices and the importance of doing the right thing, all 16 of the participants expressed, to a greater or lesser extent, some sense of the virtues they deemed were necessary to be a good police officer or to deliver good policing. These virtues included: diversity, fairness, honesty, integrity, justice, kindness, leadership, transparency, trustworthiness, wisdom and exercising a positive work ethic.

I now argue, through the lens of the accounts that follow, that according to their own values and moral benchmarks, officers are (for the most part) able to sense what is morally the right thing to do in the circumstances presented to them however difficult, as opposed to simply following procedure. An example of this is demonstrated in this further extract from Catherine:

> "*Everything we do now…used to be called common sense and gut feeling, is now THRIVE which is Threat, Risk, Injury,* something *else, something else, evidence – I don't know"* (Catherine,1991).

This extract from Catherine was part of a wider narrative in which she expressed frustration concerning the impact of resource cuts and how THRIVE, a new risk assessment model, had been introduced to risk assess and prioritise calls for demand. This, she argued, was directing resources towards a small minority of the community and frustrating opportunities for officers to exercise their judgement. Her sentiments were echoed by all the officers serving in TP2 as it

stifled their desire to do good in the communities who were impacted upon by these cuts. I argue this is so because their judgment is informed by their personal values and their good character - developed over their lifetime, and by the lessons they have learned both before and after they joined the police service. The data also suggest that they can recognise these qualities, or the absence of such, in each other. This is demonstrated in the extracts below from Edmund, Christine and Laurie who joined the police service in TP1 and Catherine and Simon from TP2:

> *"Calm...fatherly...cool efficient way...he was just, the epitome of a...good copper really"* (Edmund,1974)*.

In this first extract, Edmund reflected upon the character of an officer whom he regarded as the epitome of a good police officer - observed in his early policing experience in the East End of London in the 1960s. He explained in his wider narratives that many of his early colleagues had seen active war service. As a young police officer, he valued their exercise of the virtue of prudence by remaining calm under pressure and provocation, and exercising authority in a just and fatherly way. He also discussed how this officer, and others like him, informed the development of his own practice:

> *"We did not get any training in the late 60s in multi-culturalism [or] we got some. I do not think we got anything like what they have got now, but we were told about attitudes and everybody had to be treated fairly, everybody had to be treated decently, and it was strongly emphasised, it does not matter who they are, they are citizens and you have to treat them decently" (Edmund,1974).*

In another oral history of policing from 1930s to 1960s, Weinberger (1995) also cited a number of police officers who served during the war, who also perceived that their conduct during this period gained considerable deference and respect from the public. It would be no surprise if this had a considerable impact upon

their characters as Edmund observed. He perceived that these values and characteristics represented the epitome of a good police officer. Essentially, Edmund was drawn to their character and it is this representation of a morally good character which is a central feature of this thesis.

Morrell and Bradford (2019, p.59) argue that many academics and activists would be uncomfortable with any notion of police officers being encouraged to pursue their own values. And yet, in support of the data gathered in the oral history interviews for this research, it is my thesis that when police officers are afforded the discretion to do so, it may produce better outcomes. To be fair, Morrell and Bradford (2019) also argue that the extent to which encouraging police officers to follow their own values would lead to malpractice is often overstated. This is arguably so as Christine's account, cited earlier, demonstrates the practice of '*phronesis*' the intellectual virtue, without which she would not be able to comprehend the conflict between her own vales and those of the institution.

In the final extract below, Simon who also joined the police service in TP2 characterises what he considered to be a good police officer in the 1990s:

> *"A good police officer was someone who made the most arrests, you know without doubt...you know [named officer], would have [been] somebody, [who would] perhaps not arrest, [but] who would deal with the most people. He would go off and he would come back, with process [minor traffic infringements], every shift because he would go out and find some"* (Simon,1993).

In this extract, Simon reflects upon the character of a constable whom he perceived to be industrious and as such, was viewed as being a good police officer. This is not surprising because firstly, elsewhere in this thesis, Simon has demonstrated that his perspectives on policing practices are inclined to be

instrumentally oriented. Secondly, what he described is also, to an extent, supported elsewhere by Ernest, Laurie and Margaret. Ernest described how his supervisors at the beginning of his career in TP1 were totally 'process oriented'. He suggests that these supervisors valued the ability of an officer to go out on patrol and find evidence of multiple minor traffic infringements as this was a demonstration of the officer's capability. It is also an example of what Herbert (1997) argues to be a display of competence and capability which is worthy of respect. This is something that he claims officers' value in each other (Herbert, 1997; see also: Holdaway,1983, p.59 and Muir,1977, p.53). It may also be an example of 'mission orientation' and the cultural driver to 'get the job done' (Reiner, 2012, p. 119). This may explain why in the extract in the next section, Laurie felt aggrieved at being misled by a sergeant at the beginning of his career in TP1 which led to a suggestion that he was not 'pulling his weight'.

6.5.2 The Virtues, Procedural Justice and Legitimacy

In the final section of this chapter, narrative data will be used to illustrate examples concerning how the exercise of virtues by the participants in a proper context and sensitive to the prevailing moral tradition, procedural justice and legitimacy, was sustained both internally and externally. Commencing with the period TP1, in the following extract, Laurie perceived that his personal values and principles had been compromised by a supervising sergeant and so, to gain fairness, internal procedural justice and reinforce his own self-legitimacy, he set out to find as much 'process' [evidence of minor traffic offences] as possible to gain redress, but also, to give the sergeant some work to do as he would be required to check the reports (See: Bradford & Quinton, 2014; Sun, Yuning, Van Craen, & Kuen-lung Hsu, 2018):

"I then decided that, I had to make a point to him...so I went out...and the first week...my aim was to do 100 process...and I went out to do 100 defective tyres of which, there were loads of them, you know. I did 100 and on Saturday morning, when we returned, I went into the office, I put these on the desk...he was sitting there with his crowns up [insignia of rank] as Station Officer, he flicked his Daily Telegraph down, he said 'what do you want?' I said, 'I have got some process there for you to check Sergeant' and he did not even answer me, just flicked his paper up, and I thought...ok. All the troops were behind me and they thought it was hilarious. A week later, you know, he came back to me and he left me a few, you know, dock this, change this evidence and change you know, blah blah questioning stuff. I amended all these, and whatever he wanted me to do. Then, the next week I did, 110...I walked in on Saturday morning...he flicked the paper down...and he looked at me and he looked down at the, reports, and he said to me 'You are getting to be a fucking nuisance'...and that is all I wanted to hear, because I had made my point. The following Monday we were late shift and he read all the jobs out, and he got to my number, he left me till last, and he...read out my number and he said, and 'you are walking with me', in other words you are not going out and creating havoc for me, you are going to walk with me, and that was, that was how I spent my day...the whole shift" (Laurie,1970).

This extract from Laurie could, on first reading, appear to be petty. However, there is more to be gained from this account. Firstly, this is a moral account of policing practices as seen from the perspective of Laurie - especially in term of the virtues of fairness and justice; an example of his personal values and character and further, an example of the importance of the practice of storytelling to demonstrate meaning. As previously discussed, Waddington (1999, p.287) argues how story telling "in the canteen is expressive talk designed to give purpose and meaning to inherently problematic occupational experience" (Ibid, p. 58). In this respect, Laurie highlights how his colleagues found the situation hilarious and there is little doubt that knowledge of the incident was shared around the 'nick'. Van Hulst (2013, p.624) also suggests that "storytelling is a crucial part of everyday police station life", and is worthy of examination (See also:Holdaway, 1983, p.138-154). MacIntyre (2012, p.216),

too, argues that man is "essentially a story-telling animal…a teller of stories that aspire to the truth".

Throughout this thesis, Laurie has presented as a morally fair character with a strong sense of justice/injustice and he is also an accomplished story teller. He talks in narratives in which he demonstrates reflection and the stories are told with a sense of purpose. He highlights how he would have found it very difficult to suffer this injustice from a sergeant whom he would reasonably expect to behave differently. Simon, Ernest and Margaret also suggest that the practice of 'chasing process' was, until the 1990s, both valued and expected by supervisors and would be morally accepted by the public who were essentially committing offences - however minor. It is also highly unlikely that many of the persons who had been 'booked' by Laurie would have been prosecuted. An informal outcome such as a warning letter was far more likely and it also served the purpose of maintaining the rule of law (See: Weinberger,1995, p.63-74), albeit, the police service always ran the risk of being accused of ignoring 'real' police work such as catching criminals, rather than harassing the motorist (Weinberger, 1995, p.67). This begs the question – what did it achieve? For the police sergeants of the day, it allowed them a measure by which they could calibrate the tenacity and competence of their staff, but what does it say about their thoughts on moral alignment or fostering their legitimacy in the eyes of the public?

An answer to this question can be found in the extract below from Ernest who perceives that, whilst this practice was broadly accepted, it also presented cause for concern for the vices which may have followed:

> *"As I said earlier, when you could get occasions when if you had not booked anybody, your Chief Inspector would be saying 'I want, I want evidence that you are working', and working meant booking people as well. So, I think there was pressure applied from above which did not, should not have translated into saying 'go out there and be corrupt and deal with people in a corrupt fashion' but nonetheless, said I want results, within crime. You were looking at people saying, 'make sure that your crime figures are good', and if you look at some of the detection rates of the 70s, which, 1970s which were around...80, 85% detected. If you went back to them these days, there is absolutely no way that they could have been, absolutely genuine" (Ernest,1965).*

This extract from Ernest and from the data which has already been presented in chapters 4 and 5 seems to suggest why it is unlikely that this would be a matter of concern for them and that discussions concerning procedural justice and legitimacy were unheard of within policing in those days. However, it is another illustration of how extrinsic factors, such as chief police officers justifying their effectiveness to other institutions premised upon these detection rates, may have impinged on the personal virtues of the officers who achieved those results. These chief officers could reasonably argue that they were enforcing the rule of law and this was an expression of the legitimacy of their practices as understood by them. However, of equal importance, it also says something about the character of Laurie and Ernest and those like them, concerning their attitude towards fair and just practices, both inside and outside the police station, as already demonstrated throughout this thesis. However, the extracts above also raise questions concerning ethics, the relationship between ethics and morally good policing practices, and how attitudes towards morally good policing practices have evolved over time by tradition and practice and been moulded 'as a rule along the line of least resistance from the public' which Melville (1901) alludes to. Much of this has been addressed in the

literature concerning procedural justice and legitimacy - highlighted by the research conducted in this field.

However, there are many other examples from officers who served in TP1 and TP2 which demonstrate how by the practice of the virtues of good policing, fair and just practices followed. None of these examples which follow are particularly remarkable, they simply reflect the nature of moral dilemmas faced by police officers every day during their police service.

Beginning in TP1, the next two extracts from Laurie, demonstrate how his pursuit of fairness produced results which were not necessarily 'by the book' but the victims of crime were in moral agreement with the outcome:

> *"Right, I will give you an example. I am working in another police area [seconded] and one of the officers comes to me and says, 'I have got this young lad, he has been arrested', and this town, is quite a posh town, and he lives in a very posh house [and] his parents are very rich. This guy has been out drinking with some of his mates, and they smash down an oak fence that [belongs to] old folks on the grounds of their bungalow, and they just smash it to bits because they are pissed, and they are having a good time - bit of high jinx. So anyway, they nick this kid, who goes to a premier, a very prominent private school somewhere else in the country. The police officer says to me 'I think he is suitable for a caution, because of you know, previous [good] conduct'. I say, 'well actually, I think he is suitable for a caution, on one condition'…. I say, 'that his dad pays to have the fence replaced' and this was before compensation was legal... So, I said, 'best you go and speak to the parents, and say that I am happy to give him a caution, next Sunday afternoon, at three o clock. You might like to point out to him if he comes in for the caution, he will not have to go to court, it will not get reported in the local paper and obviously his parents will not have the embarrassment, and likewise, if he pays the compensation the right thing will have been done by these old people'. So, anyway [they] turn up at the station...he [father] is not happy, but he came. I said 'ok you have come for the caution…. have you brought...the recompense cash?' and he has got the cash, [but] he said, 'I am not happy about this'" (Laurie,1970).*

In the wider narrative, Laurie further explains that the money was handed over to him, the circumstances were properly recorded, and the young man received

a caution. However, after departing the police station, the family visited the elderly people and demanded they return the money. At this time, Laurie was called, and the next extract discusses what happened next:

> *"So what I said to him, to the old couple, put that money in a bank for two weeks, if at the end of two weeks you want to give him the money back then I should not persuade you otherwise, but I said, 'do not deal with it while it is all hot air, let them calm down and you, you calm down your thoughts and then make your decision whether you want to. Personally, I think you are making a big mistake, you should not be footing the bill, for aggravation caused by them when they can afford to give you that money, loads of times over'. I never did, know what happened in the end...but...you know my view of that is you might say, I have acted outside the law and I say actually...no, I have not, my moral and ethical code, you know my compass is, [that I] done the right thing there"* (Laurie,1970).

For Laurie, he makes clear in his narrative that he had taken all of the facts into consideration prior to deciding the most appropriate and morally fair response. However, when he refers to 'this is before compensation was legal' he means that it was a matter for a court to decide upon compensation. As the caution, which was a discretionary practice, would not lead to a court appearance, this matter would not have been considered and the only way forward would be pursuing a civil claim thought the County Court. Laurie did not possess the legal power to demand compensation, but there was nothing unlawful in asking for the parents to pay it as long as the caution was not contingent upon the compensation element. Importantly, this demonstrates how Laurie's character and the exercise of phronesis guided him to exercise a fair and procedurally just outcome on behalf of the elderly couple, but also by not ruining the promising career of the young man by exposing him to a criminal conviction. He also expresses this fact in the sense that his moral compass was pointing in the right direction and he was dispensing justice, and this was a feature of

his character. To demonstrate this, in the final extract from Laurie, he exercised

the same virtues in his dealings with some members of the traveller community:

"I did the same while I was there [on secondment] with a load of gypsies that pulled onto farm [land]. The farmer rang up in tears, and they had pulled into a field of wheat that was all ripe and just ready to harvest. They lifted the gate off, pulled in like a wagon train and put them in a circle and I went [to see them]. I said who is in charge? They pointed, and I went up to the thing and knocked on the door of the travellers, caravan. He sat there, with his feet up watching telly just ignoring us, we were like, three feet away. He [an accompanying sergeant] spoke to him three or four times and he ignored him, kept watching the telly. I said 'Oi, we are talking to you' and he looked at me and he said, 'You are not from round here?' I said 'Well, you have come in here, and you [have] technically committed criminal damage, by doing what you are doing' and he just looked at me and said...'Well, I know it is going to take you at least a week to get a High Court order to get me off of here', he said 'We will be gone by then'. I said 'Well...let me just put you right there, because...unfortunately for you, I have recently dealt with, a burglary at a Judges house and he said to me if I ever want anything, he would be more than pleased to help, in the execution of my duty, I am thinking that I could drive up there now and be back here in ten minutes with it signed' [This was a ruse]. I said, 'I have got a farmer over there who is distraught, this is his livelihood that you have endangered here'. I said, 'I am trying to sort this out, so...you, obviously want somewhere to stay for a week?'. I said, 'He wants to make a living from what you have damaged...I could arrest you for criminal damage...but, you know that might be a bit of a sledgehammer to crack a nut….so, I am thinking that you should give him some compensation, for the wheat that you damaged… 500 quid, and I said that covers your rent as well'. He said, 'That is outrageous'. I said 'It is your choice...you know, if you want to get arrested, I will get these dragged off, I will get the trucks and we will drag all these off… or you can just stay here for a week and enjoy stuff, and give me, 500 quid for the harm? He got £500 quid out of this big box full of money, gave me the £500 - put it in my pocket book, he signed it - went over to the farmer and said 'Look, obviously the situation is difficult here, because I cannot actually magic up the trucks to get him off'. I said the best I could do for you, is, and I gave him the money. He said, 'Well they [the police] have never done this before, you know, never known this before' I said, "Do not worry about it, sign here', so he signed my pocket book and it was all, he went away. Then, a couple of weeks later, I was walking past the Superintendent's office, he calls me in...and said, 'I went to a Parish Council meeting last week'. I said, 'oh yes Sir?' He said he told me, 'one very grateful farmer told me a story how, someone had sought to balance out justice, and get him some compensation and he was very happy' He said, 'do not

do it again, because it will set a precedent' and that was it..."
(Laurie,1970).

Here, again, Laurie sought to gain justice for victims of crime as his character

and the virtues he exercised, led him to do. On this and the previous occasion,

he could have simply followed established protocols and the victims of crime

would not have received justice in a moral sense or indeed, the desirable

outcome that they may have expected. Laurie had not broken any laws, he

simply exercised what he would argue to be sound moral judgement to deliver

fair and just outcomes within a moral tradition in which such practices were

more acceptable. Finally, the following extract from John (TP1) highlights how

in a time of conflict, he exercised the virtue of courage by challenging another

officer to ensure that a miscarriage of justice was not committed:

> *"I will give a couple of examples. One of them was a big village*
> *disorder, out [location] way. Bearing in mind you did not have many*
> *police officers on [duty] and we got called to a village hall, the first*
> *officer there got assaulted, and the second one got assaulted. By*
> *the time I got there...things were beginning to calm down a bit, but*
> *anyway we nicked a couple that night, and we nicked a load more*
> *later. Although I was not there, at the time...I had got there soon*
> *after so, I had a rough idea of the set-up and a particular officer...put*
> *in his statement...about an individual, defendant, what he did and*
> *where he was, and that he had done this, that and the other. I read*
> *other statements and I was not happy...and...I got the officer in, and*
> *I said you made this statement...and....I am sorry I do not think you*
> *are telling the truth? He said, well they were all involved in it, we*
> *need to sort him out. I said, I am sorry...best you get rid of that*
> *statement and tell the truth, because that is not going in the*
> *[prosecution] file"* (John,1966).

The example cited above falls neatly into a mode of behaviour known as 'noble

cause corruption'. Caldero, Dailey, & Withrow (2018, p. 6) argue that "One of

the most common moral dilemmas faced by officers is whether or not to bend

some of the rules limiting their behavior in order to deal with people they believe

are criminals or troublemakers*".* This was the exact situation faced by John

who realised that another officer, by poorly exercising value-based judgement,

was seeking to 'make good' a situation in which two police officers had been assaulted. John had a simple choice to make – follow the path of least resistance and allow the statement to be submitted and for the officer to potentially give evidence on oath in court. Alternatively, to challenge the officer to withdraw the statement. As a result, the investigation remained legitimate and procedurally fair.

The following extracts from TP2 will demonstrate something slightly different. Data has already been presented in the previous chapters which highlighted the structural and organisational difficulties faced by officers who served or still serve in TP2 including Simon, Catherine, George, Elizabeth, Veronica, Louise, Sunny and Sax who all joined the police service during this period – 7 of whom still serve. The difficulties facing them are complex, but neatly summarised by Morrell and Bradford (2019):

> cuts in budgets (loss of personnel and station closures), cuts to neighbouring public services, new institutions, new legislation, PCC model, new technologies and the changing nature of crime, growing awareness of hidden crimes, rising levels of demand, demand complexity, drug and alcohol-related crime, mental health and missing persons, inspection regimes, direct entry, evidence-based policing, potential mergers or takeovers, Brexit and other challenges to international frameworks. *(p.3)*

Many of these changes have been alluded to in data already presented, but what is important is the fact that they have led the police service towards a change of policy direction from community policing to policing practices which prioritise 'Threat, Harm and Risk'. For many, this shift to reactive policing is unpopular as it reduces contact with the wider communities and frustrates their desire to do good in these communities. However, this does not mean that these officers are unaware or devoid of the necessary virtues of good policing

as will be illustrated in the following extracts. In the first extract, George

discusses the merits of the THRIVE policy:

> *"Well, again, an internal change that we have done recently is to categorise things [calls for demand] in terms of a police-assessed threat, harm, and risk, matrix if you like. Things that help us understand from an intelligence-based perspective, what our demand looks like, actually - what resources are on the table to deal with the demand and what order we should actually tackle those demands, where should we concentrate most of those efforts? But it is, to a degree, we do that with partners. We do that with our multi-agency safeguarding hubs, So, we understand what the bigger collective, homogenized view of threat harm and risk looks like and that is our obligation to do that. So, we do not just make it independently on our own information set. But actually, that is quite right, that is a good, that is a good practice to be able to look across the fence and say to other people what have you got that would help us influence our decision making around our prioritisation of resourcing? Does the public get a say? The Police and Crime Commissioner would say no, they do not, but actually, to a high degree, I would say...I would not want them to have a say, because all they would want us doing is putting tickets on people that let their dog foul on the pavement and speeding on Little Melton by the Wold, you know [George laughs]" (George,2006).*

In this extract, George contextualises the policy changes to policing threat,

harm and risk and places a positive spin on it by highlighting the values of multi-

agency working and the potential for more effective and efficient policing.

However, he also raises questions concerning the legitimacy deficit of policing

practices in response to the utopia problems raised by Morrell and Bradford

(2019). It is clear that the police service has suffered severe budget cuts,

however, for George, to suggest that the public should not have a say or to be

consulted on the service that they receive from the police service is arguably

reflective of the self-legitimising statement 'we will do policing unto you' attitude

discussed in chapter 4.

In the next extract, Veronica had been talking about the contemporary

problems facing policing which had reduced contact with the wider community:

"So, just to reiterate that point, pretty much then, the people that actually you see on a daily basis as a police officer are either victims of crime or offenders, or witnesses to these crimes?" (Researcher).

"I think so, yeah I think so, and that is probably not because of how we want to react, but as a result of budget cuts and numbers, and resources. We just do not get around to doing the old-fashioned policing we should. You know, the bobby on the beat when we used to have a lot of people walking the streets - attending, parish council meetings, village fetes, as a presence. It just does not seem to happen these days which is really unfortunate because, I think it is absolutely paramount. It is important that communities see [the police]. I think, especially younger people, growing up have that...sort of engagement with the police...you know the first time they may see somebody in a uniform is a police officer might be because of...you know, a domestic incident at home, or something which is not necessarily the best way to be introduced to [the police]. As I say, I do not think that is for any fault or ignorance or anything of officers. It is just the way we have been shaped as a force" (Veronica,2015).

In this narrative from Veronica, it is clear that she recognises that her daily contact with the community is restricted to victims of crime, witnesses to these crimes and alleged offenders. However, her notion of what good policing is or should be is consistent with the majority of officers who served in TP1 and with her own desire for public service. She is also clear that the current resource constraints lead to police responses which are inconsistent with the way in which her character would expect or prefer her to behave. Veronica is also sensitive to the importance of community engagement, whilst recognising how resource limitations make this impossible to achieve. Many of her peers agree with this state of affairs. In the extract below, Sunny describes a similar position, albeit, he still views his work as community oriented:

"Obviously, most of our work is all based around the community and like, thinking about taking positive action and what is in the best interest of the public, itself. But the problem we always have is we are so short numbered, that the times that we can put towards a particular job is restricted in every single possible angle. You know, if I was to say that, I would love to do a lot more for this person or

be able to do a lot more in terms of investigation and so forth. I would love to, but I do not have the time, it is critical I get there, take the crime [report], take the statement [and] crack on [to the] next one. Because, it is overloading calls, not going unanswered and that is where you end up being" (Sunny,2015).

However, whilst Sunny argues that taking positive action and acting in the best interest of the public is, in itself, an example of community-oriented policing, he expands this narrative to reveal the reality of resource cuts and how they frustrate his own desire for public service:

"I wish we had time, we have no time for that...it would be nice. We cannot afford to put officers on foot patrol, because we do not have enough officers to fill up vehicles. So, naturally, we would not be able to go from store to store engaging with these communities" (Sunny,2015).

These narratives strike a harmonious chord with the extract discussed earlier from George (Ibid, p.217) concerning a Royal Commission to determine what policing is for. This is because the narratives raise questions concerning the legitimacy of police practices, and more widely for procedural justice, and these would materialise if the police service claims that they cannot deliver upon public expectations of an efficient police service were realised by the communities and led to a lack of faith or trust in the police service. Whilst it cannot be stated with certainty that communities did not choose either austerity or cuts to police resources, they do continue to fund these services though taxation and expect a service and in return support policing by consent with all that this implies. As suggested by Beetham (1991,p.22) and cited earlier (Ibid, p.7) citizens defer to power holders, such as the police, when they identify with them as 'rational moral agents' who behave in such a way that, within the constraints of the social relationships between them, there is an acknowledgment of the need to develop practices which are mutually beneficial-

thus appealing to their own moral sense. If the public are not consulted on what are considered to be effective policing practices which may not be mutually beneficial, or a relationship evolves in which their beliefs and expectations are not met, it could lead to a significant legitimacy deficit with long-term negative effects for policing.

In the next extract, Catherine highlights another one of the problems summarised by Morrell and Bradford (2019, p.3) namely, cuts to neighbouring public services and the concomitant links to policing practices:

> *"Because, the other agencies are struggling as well. Public services, mental health, we are doing mental health all the time and we are dealing with social services incidents all the time. For example, mental health, if they [have] sectioned 2 somebody [under powers invested by the Mental Health Act 1983], they do not have the capability to get that person into the vehicle voluntarily. They do not have any capability [to] restrain the patient now and put them into the ambulance calmly and take them to hospital. They then call the police to do that because they just do not have the facilities. So, we are now dealing with Section 2 and 3 patients that we never used to deal with before because they are now struggling. We had an incident the other day where that person was deemed a Section 2. They reserved a bed, they ran off, the patient ran off. So, they are now a missing person - formally under [the care of] Section 2. So, we were actively looking for them. When we found them, we took them to the hospital where there was a bed, but because it took 24 hours before we found them, they got that bed for somebody else and then they said it was an unlawful detention. So, you have got mental health services, same for social services, they will always cry for our help and support [on a] Friday 5:30 pm. They will put in some sort of call to us because they go off duty at 5:30, there is no one to back them up and they are worried about what they should have done on Monday or Tuesday or Wednesday or Thursday. They have then left it to the very last minute for concerns of neglect or something"* (Catherine,1991).

Here, Catherine is explicit that cuts to wider public services compounds the problems already experienced by the police service. To an extent this contradicts George's positive spin on THRIVE policing from a management of police resources perspective. It also highlights a moral tradition in policing in

which the frustrations alluded to in this chapter restrict officers desire to do good in the way they consider good policing should be done – involving a more prominent police presence to make the public feel safe, spending more time on investigations etc. These are examples which the participants have alluded to. However, George expresses this situation in a different way:

> *"We have come from a very rigorous, performance...culture...which we are still in, we are not in it per se, but we are still affected by it. We used to RAG everything, so red amber green, good bad ugly, indifferent in the middle. Our leaders would look at detection [rates] stop and searches tickets – again - hitting a target missing the point. You know, around threat harm and risk - while we are doing all that wonderful hitting the target kind of stuff, kiddies were being molested and not protected by, you know...people in the church, people in the families, whatever. We were not doing the things that were right, in order for policing to deal with the vulnerabilities. I totally agree with that, and I still think we have got a massive journey to go to change our approach in terms of dealing with vulnerability"* (George,2006).

This extract from George is interesting in many ways. Firstly, because he alludes to the problems created by a results culture focused upon measuring outputs – detection rates and numbers of stop and search encounters. Secondly, and ironically, because it appears that this culture has been replaced by a new culture focused upon measuring levels of demand at the front end of policing practices. He astutely highlights that hitting targets may be missing the point, and yet, in another extract (Ibid, p.241) he seems to suggest that the public should not be consulted on this. He also suggests this viewpoint is shared by the democratically elected Police and Crime Commissioner. This extract serves to place the other narratives from Catherine, Veronica and Sunny in context as they are clearly frustrated by this position and, to be fair, the vulnerabilities and historic offences of sexual abuse referred to by George would not be served better by a risk management system which is focussed

upon current demand and one which annexes the character, values and judgement of the officers still serving. However, this does not mean that good police officers will fail in their quest to do good in their communities or that they will lose the desire to do so, they will do what this new moral tradition requires of them and in the manner which their good character informs them to do.

This final point is eloquently supported by Louise, Veronica and Simon:

> *"I try and give a good service to whoever I am dealing with at that time, but whether [it is] in terms of preventing crime and walking down the high street, it is not realistic [Louise laughs]. It is just not enough, and, you know, if you had Louise exhales] enough officers...dealing with the jobs that are coming in then, yeah, you could do that [deliver a better service] but there is not" (Louise,2015).*

> *"I think at the end of the day, everybody is in the job to do what is right. I think that is why everybody joins, is it not? To do the right thing and achieve the right end goal. I think everyone wants to do right by the people out there and the people we are serving. It is why we joined the job you know. I know for me, personally, it is massive in terms of why I do it. So, I think...you know, we are always going to try and do what is right by the community, definitely" (Veronica,2015).*

> *"I think we need the assistance of the public, because without their assistance, we might as well pack up and go home, but to get their assistance, I think, you have to go through a few things perhaps like explaining what we do and the rationale behind it. We might not do what they always want us to do and we might not always explain why we are doing it, but I think with the confidence of the public and the community, sounds like a press release doesn't it, but I do think without the assistance of the public and support, we might as well pack up and go home" (Simon,1993).*

Conclusion

In this third and final data chapter, I have presented data which reflected the perceived importance of the moral traditions in which the practice of policing has evolved. This involved exploration of how moral traditions are moulded by narrative histories and further, how 'evolving expectations and obligations' manifest themselves in those individuals who are 'bearers of a particular

identity' such as police officers (MacIntyre, 2012, p.220). This chapter has drawn on data which highlighted the perceived importance of the 'Office of Constable', their 'Oath of allegiance to the Queen' and the perceived importance of the 'Rule of Law', all of which had evolved throughout the history of policing as a practice. It became clear that conflicts arise when policy and practice are not aligned. An example of this can be discerned from the introduction of the Code of Ethics which, according to policy, was intended to form part of a wider policy agenda to professionalise policing. However, data presented in this chapter revealed that, whilst some officers had received basic training regarding this code, it was widely misunderstood. Sax, for example, likened the code to a description label on an item of clothing. He was able to articulate elements of the code, but without a deep understanding of ethics in a normative moral sense. By reference to Kleinig (1999), I argue that, without proper education or links to ethical theory, the code was an example of an instrument used to improve trust and confidence in the services provided by the police without necessarily developing their understanding of moral practice.

George (p.213), provided a more thoughtful explanation to the effect that the police service is a "pseudo-militaristic" organisation which benefits from a codified rule-book. As such, the Code of Ethics fulfilled its purpose. However, further tensions arose in the data which reflect upon the purpose of policing. Ernest who served in TP1 highlighted how his tutor had guided him towards the importance of gaining the trust of the public through positive communication and effective policing in both a Peelian and moral sense as it was deemed the right thing to do. He was supported by the narratives of Laurie and Edmund. Whilst Catherine highlighted how the demands of 21st century policing

distanced the police service from the general public. As the chapter developed towards exploring the public good to be gained from the practice of morally good policing, a different picture began to emerge whilst still recognising the emergence of differences in policing practices between TP1 and TP2.

Laurie told of the closer relationships which existed between the police service and the communities in East London during the early 1970s. He cited as examples, police officers practicing the virtues of fair and just practices with sex workers and local criminals from whom they enjoyed normative compliance in return. These accounts emerged from both personal experience and by oral tradition from other police officers and clearly formed part of his working knowledge of police practices. These accounts were also corroborated, in part, by a published oral history of policing from Weinberger (1995). The chapter concluded with narrative accounts from Laurie, Ernest, John, Veronica, Sunny, Catherine, George, Louise, Veronica and Simon which sought to explore the perceived importance of practising the virtues of good policing even when structurally, this is not always possible. Laurie provided two accounts in which he demonstrated these virtues to deliver positive procedurally just outcomes and provided clear justifications for doing so. John also demonstrated an account of the virtues of honesty, integrity and to an extent, courage by challenging another police officer who had sought to deliver his own form of summary justice following an altercation with police officers. However, what became clear is that, absent of a developed understanding of procedural justice or moral theory, and fully aware of the structural constraints placed upon those officers still serving, there was also a recognition of the importance of practicing morally good policing to deliver public goods by the exercise of the virtues of

good policing. The final comments from Louise, Veronica and Simon were a testament to this fact.

Chapter 7

Policing as a Virtue; Moral Alignment and Legitimacy. What does it tell us?

In the introduction to this thesis, I proposed that I would contribute to 3 areas of knowledge: to develop elements of the debates which link procedural justice and ethics with police legitimacy; to develop knowledge and understanding of police officers' perception of self-legitimacy linked to the 'Office of Constable' and their oath of allegiance to 'The Crown'; and to demonstrate an empirical application of a revision of virtue ethics, as formulated by MacIntyre (2012).

The literature which informed this research is very clear in demonstrating the public goods which can be achieved by the practice of morally good policing through positive procedural justice interactions, and the role this plays in fostering a moral alignment between the public and the police service which supports their legitimacy. It was, therefore, surprising that Bottoms and Tankebe (2012; 2013) highlighted a dearth in knowledge within the literature concerning police officer's awareness of these concepts and this became the focus of my research. I understood there could be many advantages for the police service if they were policing communities which were morally aligned to them and willing to work with them as a normative condition. This would obviate the requirement to utilise unnecessary additional resources delivering instrumental practices in the sense that Tyler (2006) has suggested. However, I was also open to the notion that, as Hampshire (1983) argues, moral alignment between the police service and the public was not guaranteed. I also

anticipated that some police officers may not identify with any requirement to pursue it in order to legitimise their practices.

This discussion will summarise the empirical data presented in chapers 4,5, and 6 framed by the research questions (repeated below). In the context of policing by consent:

1. Do police officers perceive that moral alignment with the public is important to reinforce their legitimacy?

2. Which aspects of police conduct do officers perceive are most important to reinforce their legitimacy in the eyes of the public?

3. Which aspects of police practices [15] do officers perceive are most important to reinforce their legitimacy in the eyes of the public?

4. Do police officers perceive themselves to be virtuous and align themselves to sentiments of public morality to reinforce their legitimacy?

5. Do police officers identify with public morality as a driver to shape police conduct to reinforce their legitimacy?

Dealing first with moral alignment, the data presented in chapter 5 illustrates that the police perspective on moral alignment is not a binary concept which is capable of being answered with a yes-no answer. The participants expressed clear conceptual difficulties with any notion of a moral alignment between the police service and the public - formed from many diverse communities - or any requirement to pursue it and this would appear to be at odds with the formulation of moral alignment proposed by Jackson, Bradford, Stanko, & Hohl,

---

[15] The difference between conduct and practices will be developed later in this chapter from the perspective of MacIntyre (2012).

(2013). This perception arose from 2 central issues: firstly, it is the participants' perception, informed by considerable experience of policing diverse communities, that they are generally not morally aligned with each other, or share the same norms and values (see Simon, pp. 160). Further, they perceive that the state requirements of policing also directs them towards enforcing the rule of law and places them in conflict with at least one section of the public. The discussion on (p.54) of this thesis concerning crimes categorised as either *mala prohibita* or *mala in se* places these perceptions in a moral context.

Secondly, and this is connected to the first point, the data presented in chapter 4 highlighted how the participants placed significant reliance upon their power and authority being vested in the rule of law, their oath of allegiance to the Queen and in the constitutional significance of the 'Office of Constable'. All of which provided them with an alternative explanation of police legitimacy and arguably, loosened any requirement for them to seek out the expressed consent to police the public – one of the requirements of legitimate power that Beetham (1991) alludes to. To an extent, this would also obviate the need to engage in ongoing dialogues with the public through which legitimacy is understood from the perspective of Bottoms and Tankebe (2012). It is significant that 10 of the 16 participants supported this perspective. This perception is also connected to the participants vague knowledge of policing by consent revealed in chapter 6 of this thesis.

However, notwithstanding this fact, without using the language of procedural justice and legitimacy and whilst still expressing some suspicion regarding the concept of moral alignment, the extracts from John and Edmund (p.111-113) demonstrated a more developed sense of ethical policing and of delivering the

public good by valuing 'doing a good job'. They also highlighted in a moral sense, the perceived importance of practicing the virtues of fair, straight and honest policing from which signs of the development of a morally good character can be discerned. When present, a morally good character appears to change the perspective of some of the participants towards delivering morally good policing - despite many of the structural hurdles presented to them. Here the distinction between the terms 'conduct' and 'practice' can be reflected upon in so far as they relate to the second and third research questions.

The distinction between police *conduct* and police *practices* in questions 2 and 3 was important to ascertain whether the participants perceived their conduct to be narrowly defined and instrumentally oriented in pursuit of enforcing the rule of law, or alternatively, whether they demonstrated (in the sense that MacIntyre (2012) defines it), a heightened moral awareness of the public good towards which their practices were directed. The data revealed some confusion within the narratives. On one hand, as already discussed, the participants placed significant reliance on their authority being vested in the rule of law and in the importance of the office of constable. However, many of them also demonstrated an awareness of the importance of practicing morally good policing. This is illustrated in the discussions arising in chapter 6 and specifically, within the narratives of Laurie. This tends to suggest that the data reveal some evidence of the participants understanding of policing as a moral practice in a MacIntyrian sense in contrast to the more narrowly defined construction of conduct. As exemplified by the narratives of Simon (pp, 140).

There is also evidence within the discussions in chapter 4 and 6 of the participants' development of a moral character; a quest towards which their

practice was directed and a sense of the participants perceptions concerning the practice of virtues which allowed them to achieve excellence in their practice. In chapter 4, the data revealed how many of the participants identified with involvement in religious practice, pro-social activities e.g. the scouting movement - and with positive parenting as features which helped them to develop a moral character, as well as developing a calling or a quest for public service. I had not anticipated this response from the literature which had informed my research and it only revealed itself to me through the analytical investigation of the participants whole life narratives in the sense that MacIntyre (2012) suggests. He emphasises the importance of understanding the role of narrative unity through which an individual's life has been directed and its contribution towards the development of a moral character. This is a contribution to knowledge in the context of police legitimacy and morally good policing which is not revealed in the existing literature and only arose in this research through the empirical test of MacIntyre's methodology.

Whilst this thesis is based upon my own original ideas for a PhD project. I do not claim that it is unique. Before submission of the thesis, Morrell and Bradford (2019) published their own account supporting the investigation of the role of virtue ethics in policing and public management; Millie (2017) opened up for discussion how philosophical debates on values, morals, rules and respect may be useful to the discipline of criminology and Millie and Hirschler (2018) investigated the importance of personal values and beliefs, empathy and ethics to new recruits in Lancashire police. Reiner (2010) has also suggested that policing is an evolving process – legally, morally and politically and yet, understanding the moral development or the character of police officers is not

something which is widely discussed in the social science literature. More emphasis is usually placed on discussions upon agency, structure and in particular, police culture. This is not to say that these things are not important as aspects of each of them were evident in the narratives of the participants. In particular, the narratives presented in chapter 6 revealed significant difficulties arising from austerity measures and reduced resources in policing. However, at the same time, the participants emphasised the importance of morally good policing and of their quests to overcome these structural difficultues to deliver upon the public good in so far as they have agency to do so. This is not to say that they define themselves as virtuous, they simply believe that morally, it is the right thing to do.

As such, I argue that my thesis has revealed in a MacIntyrian sense: a background account of the practice of morally good policing; a narrative account of the participants and their relationship to the practice of morally good policing and with the citizens they police and an account of what constitues the moral tradition in which the practice of policing has evolved. All of which can be considered in the context of an evolving and contemporary relationship between policing and institutions such as the College of Policing and the Criminal Justice System. However, this raises further questions concerning the sustainability of the 'internal-external' debate through which MacIntyre (2012) argues that virtues can only be practiced by individuals who have acquired morally good characters and these virtues are directed towards the goods which are internal to a practice - such as policing. In contrast, he argues that institutions are structured in terms of power and status which are the criteria external to practices, but inextricably linked to them. The outcome of this

philosophcal debate with regard to the perspective of practitioners could be regarded as similar to the agency/structure debates in sociology. For example in the work of (Archer (2003) and Giddens (1979; 1984). However, institutions are influential in the processes of developing legitimacy in forms of community and closely related to social and political life (MacIntyre, 2012; Loader, 2016). This is important when considering the relationship between the police service and diverse communities and as Loader (2016, p.428) futher suggests "the ordering practices of policing, can and ought to help build democratic virtues and culture, underpin and extend civic engagement and the associated life of communitites, and be a vehicle for generating social trust". This thesis suggests that the participants have demonstrated some awareness of their social function and of the importance of their relationship with the public even if they do not use the same language.This includes the practice of requisite virtues to deliver upon these social goods.

How, then, can this research be developed? Perhaps it could be argued that, the time has come for alternative ways of thinking about the moral justification for police practices? There is little doubt that in the coming years, the police service will be presented with significant problems. This raises concerns about how policing in a 21st century context can continue to be informed by the Peelian Principles and how these principles can be operationalised in the context of increased calls for demand involving a policy shift towards reducing threat, harm and risk and a move away from the prevention of crime. Whilst a strong emphasis is still placed by policy makers on these principles and on the notion of policing by consent (Home Office (2012); Emsley (2014), there is a sense that the public are righly asking questions about this shift away from high

visibility community policing. This is highlighted by Morrell and Bradford (2019) in their consideration of the 'utopia problem' and in a report titled 'Policing Vision 2025' which illustrates the challenges facing contemporary policing with proposals of how the police service of England and Wales will respond (National Police Chiefs Council, 2016). Emsley (2014) and Loader (2016) suggest that these principles remain a powerful symbolic exercise of self-legitmation in policing and they have profoundly informed policing practices and shaped the relationship between the public and the police service. However, the same can be said of the body of literature concerning procedural justice and legitimacy and the growing interest in police ethics. All of which appear to have whetted the appetite of the College of Policing as part of their police professionalisation programme (Bradford & Quinton, 2014; Bradford, 2014; College of Policing, 2014)

Reith (1948, *Preface*) suggested that "some institutions outgrow and escape from their past in the course of their development and evolution*".* This thesis has presented data which proposes that despite significant structural limitations, participants in the modern police institution continue to value their quests to deliver for the public good and to demonstrate morally good policing.

I argue that this thesis offers reflection on and develops the literature reviewed and also provides a justification for academics to continue researching the area of police ethics and morally good policing. The greatest benefit of such research might be to help to strengthen or sustain the ever weakening bonds between the police service and the public which austerity measures have brought about. It could also support Beetham's (1991; 2013) formulation of legitimate power in which he places great emphasis upon his third category of

legitimation that requires citizens to express their consent to the power relationship through actions which confirm their acceptance of it. In support of gaining the ongoing consent to policing practices, developing a research agenda focussed upon a greater understanding of the selection of police officers of good character and the education of police officers in morally good policing practices, may seem a little old fashioned, as if harking back to the era of the Ladybird book about the 'Police Man' described earlier. However, based upon this limited research, I highlight that there may be some value in doing so.

References

Alverson, M., & Skoldberg, K. (2009). *Reflexive methodology; New Vistas for Qualitative Research (2nd ed.).* London: Sage Publications.

Andrews, M., Squire, C., & Tamboukou, M. (2012). *Doing Narrative Research (2nd ed.).* London: Sage Publications.

Archer, M. (2003). *Structure, Agency and the Internal Conversation.* Cambridge: Cambridge University Press.

Archer, M. (2012). *The Reflexive Imperative in Late Modernity.* Cambridge: Cambridge University Press.

Aristotle. [c325 BC] (2009). *The Nicomachean Ethics.* (D. Ross, Trans.) Oxford: Oxford University Press.

Ashby, D., Irving, B., & Longley, P. (2007). Police reform and the new public management paradigm: managing technology to rhetoric. *Environment and Planning C: Government and Policy, 21*, 159-175.

Barbour, R. (2014). *Introducing Qualitative Research: A students Guide.* London: Sage Publications.

Bauman, Z. (2000). *Liquid Modernity.* Cambridge: Polity.

Bazeley, P., & Jackson, K. (2014). *Qualitative Data Analysis with NVIVO (2nd Ed.).* London: Sage Publications Ltd.

Beadle, R., & Moore, G. (2006). MacIntyre on Virtue and Organisation. *Journal of Organisational Studies 27 (3)*, 323-340.

Beetham, D. (1991). *The Legitimation of Power.* New Jersey: Humanities Press International.

Beetham, D. (2013). Revisiting Legitimacy, Twenty Years on. In J. Tankebe, & A. Liebling (Eds.), *Legitimacy and Criminal Justice: An International Exploration.* Oxford: Oxford University Press.

Bittner, E. (1990). *Aspects of police work.* Boston: Northeastern University Press.

Blair, S. I. (2005). Speech by Metropolitan Police Commissioner: Sir Ian Blair. *BBC Dimbleby Lecture.* London: BBC NEWS.

Bottoms, A., & Tankebe, J. (2012). Beyond Procedural Justice: A Dialogic Approach To Legitimacy. In Procedual Justice, *The Journal of Criminal Law and Criminology 102 (1)*, Doi: 0091-4169/12/10201-0119.

Bottoms, A., & Tankebe, J. (2013). 'A Voice Within' Power Holders Perspectives on Authority and Legitimacy. In J. Tankebe, & A. Liebling (Eds.), *Legitimacy and Criminal Justice: An International Exploration.* Oxford: Oxford University Press.

Bowling, B., Reiner, R., & Sheptycki, J. (2019). *The Politics Of The Police (5th Eds.).* Oxford: Oxford University Press.

Bowman, J., & West, J. (2018). *Public Service Ethics: Individual and Institutional Responsibilites (2nd ed.).* London: Routledge.

Bradford, B. (2014). Policing and social identity:procedural justice, inclusion and cooperation between police and public. *Policing and Society 24 (1),*, 22-43 .

Bradford, B., & Quinton, P. (2014). Self-Legitimacy, Police Culture and Support For Demographoc policing In An English Constabulary. *British Journal of Criminology, 54*, 1023-1046.

Bradford, B., Hohl, K., Jackson, J., & MacQueen, S. (2015). Obeying the Rules of the Road: Procedural Justice, Social Identity, and Normative Compliance. *Journal of Contemporary Justice 31 (2)*, 171-191.

Brodeur, J. (1998). The Assessment of Police Performance: Conclusions. In J. Brodeur (Ed.), *How to Recognise Good Policing: Problems and Issues.* London: Sage Publications.

Brogden, M. (1991). *On the Mersey Beat: An Oral History of Policing Liverpool between the wars.* Oxford: Oxford University Press.

Brooks, T. (2012). *Punishment.* London: Routledge.

Bryant, R., & Bryant, S. (2018). *Blackstone's Handbook for Policing Students 2018.* Oxford: Oxford University Press.

Bullock, K., & Johnson, P. (2018). Faith in Policing: The Co-Production of Crime Control in Britain. *British Journal of Criminology 58 (1)*, 75-94.

Caldero, M., Dailey, J. D., & Withrow, B. L. (2018). *Police Ethics: The Corruption of Noble Cause (4th ed.).* London: Routledge.

Caless, B. (2008). Corruption in the Police: The Reality of the 'Dark Side'. *Police Journal 81 1 (3)*, Vathnek Publishing.

Chan, J. (1997). *Changing Police Culture Policing in a Multicultural Society.* Cambridge: Cambridge University Press.

Charman, S. (2017). *Police Socialisation, Identity and Culture: Becoming Blue.* Retrieved from https://ebookcentral-proquest-com.uos.idm.oclc.org.

Clandinin, J., & Connelly, M. (2000). *Narrative Inquiry: Experience and Story in Qualitative Research.* San Francisco: John Wiley and Sons.

Cockcroft, T. (2005). Using oral history to investigate police culture. *Qualitative Research, 5*(3), 365-384.

College of Policing. (2011). *Circular 02/2011. Police Officer Recruitment: Eligitibility Criteria for the role of police constable.* London: College of Policing.

College of Policing. (2014). *Code of Ethics.* Code of Ethics. Coventry: College of Policing.

College of Policing. (2015). *The role of leadership in promoting ethical police behaviour. The findings from a qualitative case study research.* College of Policing. London: College of Policing.

College of Policing. (2016, February). *Police Education Qualification Framework*. Retrieved from College of Policing: https://www.college.police.uk/What-we-do/Learning/Policing-Education-Qualifications-Framework/Pages/PEQF-archive.aspx

Colquhoun, P. [1745-1820] (2018). *A treatise on the police of London; containing a detail of various crimes and misdemeanors by which public and private property and security are, at present, injured and endangered: and suggesting remedies for their prevention.* London: ULAN Press.

Conti, N. (2006). *Role Call: Preprofessional Socialisation into Police Culture.* Published online https://doi.org/10.1080/10439460500309865: Policing and Society.

Crime and Disorder 1998 [CDA]. (n.d.).

Crown Prosecution Service. (2015, April 27th). *Code for Crown Prosecutors.* Retrieved from The Crown Prosecution Service: https://www.cps.gov.uk/publications/code_for_crown_prosecutors/code test.html

Denzin, N., & Lincoln, Y. (2008). *Strategies of Qualitative Inquiry (3rd ed.).* London: Sage Publications Ltd.

Denzin, N., & Lincoln, Y. (2011). *The Sage Handbook of Qualitative Research.* London: Sage Publications Ltd.

Devlin, P. (2009). *The Enforcement of Morals.* Oxford: Oxford University Press.

Dixon, D. (1997). *Law in Policing: Legal Regulation and Police Practices.* Oxford: Clarendon Press.

Dixon, D. (2005). The legal regulation of policing. In T. Newburn, *Policing Key Readings* (pp. 636-669). Abingdon: Routledge.

Donner, C., Maskaly, J., Fridell, L., & Jennings, G. (2015). Policing and procedural justice: a state-of-the-art review. *Policing: An International Journal of Police Strategies 38 (1)*, 153-172.

Dubber, M. (2005). *The Police Power.* New York: Columbia University Press.

Duff, R. (2014). Towards a Modest Legal Moralism. *Criminal Law and Philosophy , 8.*

Easton, D. (1965). *A systems analysis of political life.* Chicago: University of Chicago Press.

Easton, D., & Dennis, J. (1969). *Children in the political system.* Chicago: University of Chicago Press.

Edyvane, D. (2008). Justice as Conflict. *Contemporary Political Theory, 7.*

Emsley, C. (1991). *The English Police A Political and Social History.* Harlow: Addison Wesley Longman Limited.

Emsley, C. (2010). *The Great British Bobby: A History Of British Policing From the 18th Century To The Present.* London: Quercus.

Emsley, C. (2014). Peel's Principles Police Principles. In C. Emsley, & J. M. Brown (Ed.), *The Future of Policing.* London: Routledge .

Fairclough, N. (2013). *Critical Discourse Analysis (2nd Ed).* Abingdon: Routledge.

Fairclough, N. (2015). *Language and Power (3rd Ed).* London: Routledge.

Fallon, R. (2005). Legitimacy And The Constitution. *Harvard Law Review 118 (6)*, Retrieved from http://www.jstor.org on 1st Aptil 2025.

Fielding, N. (1988). *Joining Forces: Police Training, Socialisation, and operational competence.* London: Routledge.

Franz, R. (1998). Don't treat students like customers. *Journal of Management Education 22*, 63-69.

Fulcher, J., & Scott, J. (2011). *Sociology (4th Ed.).* Oxford: Oxford University Press.

Giddens, A. (1979). *Central Problems In Social Theory: Action, Structure and Contradiction in Social Analysis.* London: MacMillan Press.

Giddens, A. (1984). *The Constitution of Society.* Cambridge: Polity Press.

Goffman, E. (1972). *Interaction Ritual.* London: Penguin Books.

Guiney, T. (2019, August 27th). *Blog: Boris Johnson's 'Crime Week' and the conservatives politics of law and order*. Retrieved from London School of Economics: https://blogs.lse.ac.uk/politicsandpolicy/boris-johnsons-crime-week/#Author

Haas, N., Van Craen, M., Skogan, W., & Fleitas, D. (2015). Explaining officer compliance: The importance of procedural justice and trust inside a police organisation. *Criminology and Criminal Justice 15 (4)*, 442-463.

Habermas, J. (2008). Securalism's crisis of faith: Notes on post-secular society. *New Perspectives Quarterly (25)*, 17-29.

Hampshire, S. (1983). *Morality and Conflict.* Oxford: Basil Blackwell.

Hampshire, S. (2000). *Justice is Conflict.* Princeton: Princeton University Press.

Hannerz, U. (1969). *Soulside: Inquiries into Ghetto Culture and Community.* New York: Columbia University Press.

Harkin, D. (2015). Police legitimacy, ideology and qualitative methods: A critique of procedural justice theory. *Criminology and Criminal Justice 15 (5)*, 594-612.

Her Majesty's Chief Inspector of Constabulary. (2014). *PEEL 2014 Methodology.* HMIC, Justice Inspectorates. London: HMIC.

Her Majesty's Chief Inspector of Constabulary. (2016, March 22). *https://www.justiceinspectorates;gov.uk/hmic/our-work/peel-assessments.* Retrieved March 22, 2016, from HMIC: httpa://www.justiceinspectorates.gov.uk

Her Majesty's Inspectorate of Constabulary. (2015). *Stop and Search Powers: Are the police using them effectively and fairly?* Retrieved from http://www.hmic.gov.uk: HMIC.

Herbert, S. (1997). *Policing Space: Territoriality and the Los Angeles Police Department.* Minneapolis: University of Minnesota Press.

Herbert, S. (1998). Policing subculture reconsidered. *Criminology, 36*(2), 343-369.

Herbert, S. (2006). Tangled up in blue: Conflicting paths to police legitimacy. *Theoretical Criminology*, Doi:10.1177/1362480606068875.

Hirschi, T. (1969). *Causes of Delinquency.* Berkeley: University of California Press.

Hobbes, T. (1996). *Leviathan.* Oxford: Oxford University Press.

Holdaway, S. (1983). *Inside the British Police: A Force At Work.* Oxford: Basil Blackwell Publisher Limited.

Home Affairs Committee. (2016). *College of Policing: three years on. Fourth Report of Session 2016-17.* House of Commons, Home Affairs Committee. London: House of Commons.

Home Affairs Committee on Serious Youth Violence. (2019). *Serious Youth Violence Sixteenth Report of Session.* London: House of Commons.

Home Office. (2012). *Freedom of Information Request: Policing by Consent.* Home Office. London: Home Office.

Home Office. (2013, October 23). Home Secretary College of Policing Speech. London: Home Office.

Honderich, T. (2005). *Oxford Handbook to Philosophy.* Oxford: Oxford University Press.

Hough, M., Jackson, J., Bradford, B., Myhill, A., & Quinton, P. (2010). Procedural Justice, Trust, and Institutional Legitimacy. *Policing 4(3)*, 203-210.

House of Commons. (2018, October 9th). Early Day Motion 1656. *Royal Commission to establish what is required by UK Police forces to ensure they continue to deliver a service to the public that is fit for the next decade* . House of Commons.

Houston, D., & Cartwright, K. (2007). Spirituality and Public Service. *Public Administration Review 67 (1)*, 88-102.

Hursthouse, R. (2010). *On Virtue Ethics.* Oxford: Oxford Universoty Press.

Ignatieff, M. (2005). Police and people: the birth of Mr Peel's blue locusts. In T. Newburn, *Policing Key Readings.* Abingdon: Routledge.

Jackson, J., Bradford, B., Hough, M., Myhill, A., Quinton, P., & Tyler, T. (2012). Why Do People Comply with the Law? Legitimacy and the Influence of Legal Institutions. *British Journal of Criminology 52 (6)*, doi:10.1093/bjc/azs032.

Jackson, J., Bradford, B., Stanko, B., & Hohl, K. (2013). *Just Authority, Trust In The Police In England And Wales.* Abingdon: Routledge.

James, A., Jenks, C., & Prout, A. (2015). *Theorizing Childhood.* Cambridge : Polity Press.

Keenan, T., Evans, S., & Crowley, K. (2016). *An Introduction to Child Development (3rd Ed.).* London: Sage edge.

Kleinig, J. (1999). *The Ethics of Policing.* Cambridge: Cambridge University Press.

Equality Act 2010. [online]

Available at http:/legislation.gov.uk/ukpga.2010/15/contents [Accessed 13 February 2019].

Loader, I. (2016). Recasting the 'Peelian' Principles. *Criminal Law and Philosophy, 10*, 427-440.

Loader, I., & Mulcahy, A. (2003). *Policing And The Condition of England: Memory, Politics and Culture.* Oxford: Oxford University Press.

Locke, J. [1689] (1975). *An Essay concerning Human Understanding.* Oxford: Oxford University Press.

Locke, J. (2014). *Two Treatises of Government.* Cambridge: Cambridge University Press.

Longstaff, A., Willer, J., Chapman, J., Czarnomski, S., & Graham, J. (2015). *Neighbourhood policing: Past, present and future: A review of the literature.* London: The Police Foundation.

Lucas, J. (1966). *The Principles of Politics.* Oxford: Clarendon Press.

Macauley, M., & Rowe, M. (2019). Happy ever after? Making sense of narrative in creating police values. *Public Management Review*, https://doi.org/10.1080/14719037.2019.1630474.

MacIntyre, A. (1998). *A short History of Ethics.* Abingdon: Routledge.

MacIntyre, A. (2012). *After Virtue.* Indiana: University of Notre Dame Press.

MacIntyre, A. (2016). *Ethics in the Conflicts of Modernity.* Cambridge: Cambridge University Press.

Manning, M. (2015). *'Enhanced Triage' and Integrated Decision Making Model.* University Campus Suffolk. Ipswich: iSeed.

Matza, D. (1964). *Delinquency and Drift.* New York: John Wiley & Sons.

May, T., & Perry, B. (2011). *Social Research and Reflexivity: Content, Consequence and Context.* London: Sage Publications.

Mazerolle, L., Bennett, S., Antrobus, E., & Eggins, E. (2012). Procedural Justice, routine encounters and citizen perceptions of police:main findings from the Queensland Community Engagement Trial (QCET). *Journal of Experimental Criminology 8*, 343-367.

Mazerolle, L., Bennett, S., David, J., Sargeant, E., & Manning, M. (2013). *Legitimacy in Policing: A Systematic Review.* The Campbell Collaboration, Campbell stematic Reviews 2013:1. Oslo: The Campbell Collaboration.

McFadyen, A., & Prideaux, M. (2014). The placing of religion in policing and policing studies. *Policing and Society 24 (5)*, 602-619.

Melville, W. (1901). *A History Of Police In England.* Oxford: Kessinger Publishing.

Millie, A. (2017). *Philosophical Criminology.* Bristol: Policy Press.

Millie, A., & Hirschler, S. (2018). *New Recruits in the Police: A study of attitudes, values and beliefs.* online: https://www.researchgate.net/publication/328335179.

Mitting, S. J. (2015). Undercover Policing Inquiry. https://www.UCPI.org.uk.

Molina, A. (2015). The Virtues of Administration: Values and the Practice of Public Service. *Administrative Theory and Praxis*, DOI: 10.1080/10841806.2015.999636.

Moore, G., & Grandy, G. (2017). Bringing Morality Back In: Institutional Theory and MacIntyre. *Journal of Management Inquiry 26 (2)* , 146-164.

Morrell, K., & Bradford, B. (2019). *Policing and Public Management: Governance Vices and Virtues.* Abingdon: Routledge.

Morwood, J. (2005). *Oxford Latin Desk Dictionary.* Oxford: Oxford University Press.

Muir, W. (1979). *Police: Street Corner Politicians.* Chicago: University of Chicago Press.

Murphy, K., & Tyler, T. (2017). Experimenting with Procedural Justice Policing. *Journal of Experimental Criminology 13*, 287-292.

National Police Chiefs Council. (2016). *Policing Vision 2025.* Available online at https://www.npcc.police.uk/documents/Policing%20Vision.pdf: National Police Chiefs Council.

Neyroud, P., & Beckley, A. (2004). *Policing, Ethics and Human Rights.* Cullompton: Willan Publishing.

Norberg, K. (2011). *Legislation vs. morality - a police officers's ethical dilemma.* Published online https://doi.org/10.1080/15614263.2011.627741: Policing Practice and Research.

O' Connor, D. (2015). Presentation of the Sir Robert Peel Medal for Outstanding Leadership in Evidence-Based Policing. *8th International Conference on Evidence Based Policing at Cambridge University* (p. Oral Record). Cambridge: Institute of Criminology, University of Cambridge.

Office of National Statistics. (2015). *How religion has changed in England and Wales.* London: Available online at https://www.ons.gov.uk/peoplepopulationand community/culturalidentity/religion/articles.

Papachristos, C., Meares, T., & Fagan, J. (2012). Why Do Criminals Obey the Law? The Influence of Legimacy and Social Networks On Active Gun Offenders. *The Journal of Criminal Law and Criminology 102 (2)*, 397-440.

The Police and Criminal Evidence Act 1984. London : Retrieved from http://www.legislation.gov.uk.

Human Rights Act 1998. London: Retrieved from http://www.legislation.gov.uk.

Police Reform and Social Responsibility Act 2011. London: Retrieved from http://www.legislation.gov.uk.

Parliament. (2019). *House of Commons Briefing Paper 8582 .* London: House of Commons Library.

Pike, M. (1985). *The Principles of Policing.* Basingstoke: MacMillan Press.

Plummer, K. (2011). *Life Stories and the Narrative Turn.* London: Published online by Sage Publications https://dx.doi.org/10.4135/9781849208888.

Police Federation of England and Wales. (2018). The Office of Constable- the bedrock of modern day British policing. Leatherhead: www.polfed.org.

Police Federation of England and Wales. (2019, September 4th). *Government issues lifeline for police officers.* Retrieved from Police Federation of England and Wales: https://www.polfed.org/news-media/latest-news/2019/government-issues-lifeline-for-police-officers/

Police Reform Act 2002. Retrieved from https://www.legislation.gov.uk

Presser, L. (2016). Criminology and the narrative turn . *Crime, Media, Culture: An International Journal 12 (2)* , 137-151.

Prideaux, M., & McFadyen, A. (2013). Personal (Non-) Religiosity and Policing. *Journal of Contemporary Religion 28 (3)*, 457-472.

Rawlings, P. (2002). *Policing A Short History.* Cullompton: Willan Publishing.

Rawls, J. (1999). *A Theory of Justice.* Oxford: Oxford University Press.

Rawls, J. (1999). *A Theory of Justice.* Oxford: Oxford University Press.

Rawls, J. (2003). *Justice as Fairness.* Cambridge Massachusetts: The Belknap Press of Harvard University Press.

Raz, J. (2009). *The Authority of Law (2nd ed.).* Oxford : Oxford University Press.

Reiner, R. (2005). Policing in a post modern society. In T. Newburn, *Policing Key Readings* (pp. 671-697). Abingdon: Routledge.

Reiner, R. (2012). *The Politics of The Police (4th ed).* Oxford: Oxford University Press.

Reisig, M., Tankebe, J., & Mesko, G. (2014). Compliance with the Law in Slovenia: The Role of Procedural Justice and Police Legitimacy. *European Journal of Criminological Policy Research 20,* 259-276.

Riessman, C. (2008). *Narrative Methods for the Human Sciences.* London: Sage Publications.

Reith, C. (1948). *A Short History of The British police.* Oxford: Oxford University Press.

Riessman, C. (1993). *Narrative Analysis: Qualitative Research Methods Series 30.* London : Sage Publications.

Ritchie, J., Lewis, J., McNaughten-Nicholls, C., & Ormston, R. (2013). *Qualitative Research Practice.* (2nd, Ed.) London: Sage Publications Ltd.

Rosenbaum, D., & Lawrence, D. (2017). Teaching procedural justice and communication skills during police-community encounters: Results of a randomized control trial with police recruits. *Journal of Experimental Criminology Vol. 13 (3)*, 293-319.

Rowe, M. (2018). *Introduction to Policing (3rd ed).* London: SAGE Publications.

Scarman, L. (1982). *The Scarman report: The Brixton disorders 10-12 April 1981: report of an Inquiry.* Harmondsworth: Penquin.

Seale, C. (2012). *Researching Society and Culture (3rd ed.).* London: Sage Publications Ltd.

Sen, A. (2010). *The Idea of Justice.* London: Penguin Books.

Silver, A. (2005). The demand for order in civil society: a revew of some themes in the history of urban crime, police, and riot. In T. Newburn, *Policing Key Readings.* Abingdon: Routledge.

Silverman, D. (2010). *Doing qualitative Research (3rd Ed.).* London: Sage Publications.

Silverman, D. (2013). *Doing Qualitative Research (4th ed.).* London: Sage Publications.

Smartt, U. (2009). *Law for Criminologists.* London: Sage Publications Ltd.

Souryal, S. (2015). *Ethics in Criminal Justice: In search of the truth (6th Ed).* London: Elsevier.

Southgate, V., & Havenhand, J. (1962). *People at Work: The PoliceMan.* Loughborough: Willis and Hepworth.

Sparks, R., & Bottoms, A. (2008). Legitimacy and Imprisonment Revisited. In J. Byrne, D. Hummer, & F. Taxman (Eds.), *The Culture of Prison Violence* (pp. 91-104). Boston: Pearson.

Squire, C. (2013). From experience-centred to sociocultirally-oriented approaches to narrative. In M. Andrews, C. Squire, & M. (. Tamboukou, *Doing Narrative Research (2nd Ed.).* London: Sage .

Stravrova, O., & Siegers, P. (2014). *Religious Prosociality and Morality Across Cultures: How Social Enforcement of Religion Shapes the Effects of*

Personal Religiosity on Prosocial and Moral Atitudes and Behaviours. Published online DOI:10.1177/0146167213510951: Sage Publications.

Sun, I., Yuning, W., Van Craen, M., & Kuen-lung Hsu, K. (2018). Internal Procedural justice, Moral Alignment, amd External Procedural Justice in Democratic Policing. *Police Quarterly* , DOI: 10.1 177/1098611118772270.

Sunshine, J., & Tyler, T. (2003). The Role of Procedural Justice and Legitimacy in Shaping Suport for Policing. *Law and Society Review 37 (3)*, 513-547.

Tankebe, J. (2009). Self-Help, Policing, and Procedural Justice: Ghanaian Vigilantism and the Rule of Law. *Law and Society Review 43 (2)*, 245-269.

Tankebe, J., & Asif, M. (2016). Police legitimacy and support for vigilante violence in Pakistan. *International Journal of Comparative and Applied Criminal Justice 40 (4)*, 295-314.

The Law Dictionary. (2020, March 8th). Retrieved from The Law Dictionary: www.thelawdictionary.org

Thompson, P. (2009). *The Voice Of The Past: Oral History (3rd Edition).* Oxford: Oxford University Press.

Thornburn, M. (2011). Constitutionalism and The Limits of the Criminal Law. In R. Duff, L. Farmer, L. Marshall, M. Renzo, & V. Tadros (Eds.), *The Structures of The Criminal Law.* Oxford: Oxford Scholarship Online.

Turner, B. (2013). Alisdair MacIntyre on morality, community and natural law. *Journal of Classical Sociology 13 (2)*, 239-253.

Tyler, T. (2003). Justice, Legitimacy, and the Effective Rule of Law. *Crime and Justice, 30*, 283-356.

Tyler, T. (2006). *Why People Obey The Law.* Princeton: Princeton University Press.

Tyler, T., & Blader, S. (2003). The Group engagement Model: Procedural Justice, Social Identity ans Cooperative Behaviour. *Personality and social Psychology Review 7 (4)*, 349-361.

Tyler, T., & Wakslak, C. (2004). Profiling and Police Legitimacy: Procedural Justice, Attributions of Motive, and Acceptance of Police Authority. *Criminology 42 (2)*, 253-281.

Van Craen, M., & Skogan, W. (2017). Achieving Fairness in Policing: The Link Between Internal and External Procedural Justice. *Police Quarterly 20 (1)*, 3-23.

Van Dijk, A., Hoogewoning, F., & Punch, M. (2015). *What matters in policing?* Bristol: Policy Press.

Van Hulst, M. (2013, March 22nd). STORYTELLING AT THE POLICE STATION: The Canteen Culture Revisited. *British Journal of Criminology, 53*, 624-642.

Van Hulst, M. (2020). Ethnography and narrative. *Policing and Society 30 (1)*, 98-115.

Vinale, A. (2017). *The End of Policing.* London: Verso.

Waddington, P. (1999). Police (Canteen) Sub-Culture: An appreciation. *British Journal of Criminology, 39*(2), 287-309.

Walker, A., Smither, J., & DeBode, J. (2012). The Effects of Religiosity on Ethical Judgments. *Journal of Business Ethics 106*, 437-452.

Weber, M. (2013). *Economy and Society (vol1).* London: University of California Press Ltd.

Weinberger, B. (1995). *The Best Police In The World: An Oral History of English Policing.* Aldershot: Scolar Press.

Westmarland, L. (2016). Governance of policing and cultural codes:interpreting and responding to policiy directives. *Global Crime, 17*(3-4), 352-369.

Westmarland, L., & Rowe, M. (2016 A, November 15th). Police ethics and integrity:can a new code overturn the blue code. *Policing and Society*.

Willis, J., & Mastrofski, S. (2016). Improving policing by integrating craft and science: what can patrol officers teach us about good police work. *Policing and Society*.

Wolfe, S., & Nix, J. (2017). Does Self-Legitimacy Protect Against Supervisor Procedural Injustice? *CriminalJustice and Behaviour 44 (5)*, 717-732.

Young, I. (2011). *Justice and the Politics of difference.* Princeton: Princeton University Press.

Appendix A

Schedule for semi-structured Oral History Interviews

<u>(Not for disclosure)</u>

<u>Title</u>

Policing as a virtue: Moral Alignment and Legitimacy

Background

Over the last 10 years, researchers such as Tyler (2006) have argued that effective procedural justice interactions between the public and the police, based on shared morality, respect and dignity are more effective in reinforcing the public perception of the legitimacy of policing. Researchers have argued that this heightened sense of legitimacy is beneficial to the police as it motivates the public to obey the law and work with them as a normative condition, regardless of whether they agree with every law they enforce or decision police officers make. However, throughout this research, assumptions appear to have been made that there is a common morality, which is homogenous across all social groups, including the police service. This research seeks to examine these assumptions to establish the conditions, if any exist, in which police officers perceive themselves to be *morally* aligned to the public through the virtues of good policing. The research will also consider whether police officers perceive that the absence or presence of different values and moral codes, impacts upon their legitimacy and the ethos of policing by consent. Answers to these questions should be of great interest to the police service as they have a vested interest in understanding fully, the nature of their relationship with the public.

The purpose of the study

This research seeks to increase knowledge by conducting oral history interviews with 24 police officers serving over a 50-year period between 1965 and 2015. The participants will be selected equally from a county constabulary and a large urban city. The intention is to gather their perceptions concerning the source of their authority, the nature of their relationship with the public during their service, and the nature of the prevailing moral dilemmas and agreements in policing at that time. The information gathered will be analysed by the researcher using a model of virtue ethics to ascertain to what extent, if at all, police officers share a common perception of moral alignment with the public and which virtues of policing, officers and the public align with. The results will be evaluated in the context of existing empirical research and theories concerning the legitimacy of policing. Whilst participants will be asked to reflect on their service and some of the moral dilemmas they faced, they will never be asked to reveal specific details or identify themselves or the police service in which they served.

Research Questions

6) In the context of policing by consent, do police officers perceive that moral alignment with the public is important to reinforce their legitimacy?
7) In the context of policing by consent, which aspects of police conduct do officers perceive are most important to reinforce their legitimacy in the eyes of the public?
8) In the context of policing by consent, which aspects of police practices do officers perceive are most important to reinforce their legitimacy in the eyes of the public?
9) Do police officers perceive themselves to be virtuous and align themselves to sentiments of public morality to reinforce their legitimacy?
10) In the context of policing by consent, do police officers identify with public morality as a driver to shape police conduct to reinforce their legitimacy?

Introduction

Explain purpose of meeting/interview and ask for permission to record for accuracy. Reaffirm consent to participate.

For context and setting the scene, ask participants to reflect on their service in an historical context and whether these contexts and their service changed over time.

Subject: Narrative of early life

1) Tell me about your early life? (Prompt for family members, where they lived, lifestyle, parents, religion, employment, socio-economic etc.)
2) Where did you go to school? (Prompt for education level attained)
3) What can you remember about the views of the people around you concerning law abiding and other moral behaviour (prompt for pro-social or antisocial attitudes, piety, immorality)
4) How would you describe the community in which you lived?
5) What influence did your early years have on you as an individual?
6) Were you influenced by the Media, TV or Radio?
7) How did you respond to authority?
8) Did your attitude towards authority influence you towards joining the police?

Subject: Motivation to join the Police

1) What was your view of the police before you joined?
2) When did you first consider joining the police?
3) What motivated you to join the police? (From military life, family member serving police officer, careers office)
4) How was your decision to join the police received by others? (Prompt for family, friends, colleagues, community)
5) What was your expectation of policing?
6) What did the selection process tell you about what was expected from you by the police? (Fitness, qualifications, family connections, formal and informal references and codes)

Induction into the Police

1) What was your induction into the police like for you?
2) What was its purpose?
3) How were you received?
4) What was your initial impression of policing?
5) What was your training like?
6) What did you learn from your training?

7) Did your training include references to the communities you served and the importance of maintaining positive relationships with them?
8) Were you alerted to any negative aspects of dealing with the public?
9) How balanced was your training in terms of discipline, law and procedure, fitness, uniformity?
10) Were you given any training on the rights and wrongs of policing
11) When did you first encounter the term 'Policing by Consent?'
12) How did you encounter it?
13) When you left training school, how prepared were you for policing?
14) Where were you first posted and where did you serve (including highest rank achieved)?
15) What can you remember about your first few months in policing?
16) What difficulties did you face?
17) How well were you supported?
18) Who did you rely upon?
19) What did you learn about policing in those first few months?
20) What did you learn about the community you policed in those first few months?

The Culture of the Police

1) Were you aware of a culture in policing?
2) How did you become aware?
3) What did you learn about that culture? (prompt for cynicism, conservatism, mission orientation, self-protection, Esprit de corps)
4) How did that culture influence your behaviour and those around you?
5) Were you able to discern anything about the moral attitudes of your colleagues?
6) Were you able to discern anything about the norms and values of the community your served?
7) How did these attitudes impact on your own conduct?

Police Conduct/Practices

1) What were the main influences that determine police practices and conduct? (Policy, Law, Procedure, Tradition, Culture)
2) When making decisions on police practices, how much consideration did you give to the views of the community?
3) Did the views of the community influence your own conduct or the views of those around you?
4) How seriously did you consider the notion of policing by consent?
5) Did you ever hear the term 'The legitimacy of Policing' discussed in your service?
6) What do you think these terms mean?
7) Even though you may have/have not heard these terms, did you consider they were important?
8) Can you provide any examples where you gave serious consideration to the views of the community or indeed ignored their views?
9) Do you believe the police engage in practices that the community are opposed to?

10) Did you personally engage in practices which you were aware were opposed by the community?
11) Do you believe it is possible to police a community in such a way that everyone will agree with the police practices employed?
12) Do you consider the community are homogenous in that they share the same norms and values?
13) Do you believe the police are homogenous in so far that they share the same norms and values?
14) When mistakes were made which impacted upon the public, in whose favour would those mistakes be resolved?

The Morality of Policing

1) Were you aware of any moral codes in policing?
2) To whom did those codes apply?
3) How important was it in policing to exhibit conduct which was honest, showed integrity, was respectful to the community you served, displayed courtesy, equality, diversity, leadership, objectivity and selflessness?
4) Do you agree or disagree that any of those standards of behaviour are important in policing
5) Did you have your own moral code or a line that you would not cross?
6) Did you sense the communities you served had their own moral codes?
7) Did you sense that the morals of the community were aligned to your own?
8) Did you sense that the morals of the community were aligned to that of policing?
9) What is really important to understand about the relationship between the public and the police?
10) Did the importance change over time?
11) How did it change?
12) Can you define this relationship in simple terms?
13) How did the police service evolve during your service?
14) Did these changes impact upon your own or the behaviour of others?
15) Did you receive training or guidance to reflect these changes?
16) Did your views concerning the morality of policing change over time?
17) What caused these changes?

Moral Dilemmas

1) Can you tell me about some of the moral dilemmas you faced during your service and how you resolved them?

Post Retirement

1) How long have you been retired?
2) How long did you/have you serve(ed)?
3) Has your attitude towards policing changed since you joined/ retired?
4) How do you now feel?
5) On reflection, do you sense any importance of the morality of policing?

6) What are the most important factors to ensure harmony in the relationship between the police and the community?
7) Can police conduct influence those factors?

Appendix B

Research Participant Information Sheet

Policing as a virtue: Moral Alignment and Legitimacy

(Please take a few minutes to read this information sheet before deciding whether to take part in the research study).

<u>Background</u>

I am a PhD student conducting this research as part of my thesis that seeks to offer a new perspective to existing debates concerning the legitimacy of policing in England and Wales. Over the last 10 years, researchers such as Tyler (2006) have argued that effective procedural justice interactions between the public and the police, based on shared morality, respect and dignity are more effective in reinforcing the public perception of the legitimacy of policing. Researchers have argued that this heightened sense of legitimacy is beneficial to the police as it motivates the public to obey the law and work with them as a normative condition, regardless of whether they agree with every law the police enforce or every decision police officers make. However, throughout this research, assumptions appear to have been made that there is a common morality, which is homogenous across all social groups, including the police service. This research seeks to examine these assumptions to establish the conditions, if any exist, in which police officers perceive themselves to be *morally* aligned to the public through the virtues of good policing. The research will also consider whether police officers perceive that the absence or presence of different values and moral codes, impacts upon their legitimacy and the ethos of policing by consent. Answers to these questions should be of great interest to the police service as they have a vested interest in understanding fully, the nature of their relationship with the public.

<u>The purpose of the study</u>

This research seeks to increase knowledge by conducting oral history interviews with 24 police officers serving over a 50-year period between 1965 and 2015. The participants will be selected equally from a county constabulary and a large urban city. The intention is to gather their perceptions concerning the source of their authority, the nature of their relationship with the public during their service, and the nature of the prevailing moral dilemmas and agreements in policing at that time. The information gathered will be analysed by the researcher using a model of virtue ethics to ascertain to what extent, if at all, police officers share a common perception of moral alignment with the public and which virtues of policing, officers and the public align with. The results will be evaluated in the context of existing empirical research and theories concerning the legitimacy of policing. Whilst participants will be asked to reflect on their service and some of the moral dilemmas they faced, they will never be asked to reveal specific details or identify themselves or the police service in which they served.

<u>Participation</u>

Participation in the research is voluntary. The researcher is asking you to take part as it is considered you can provide important and relevant information to this study. Having read this information sheet, if you are happy to be a participant, please sign this document below.

What will I be asked to do?

You will be asked to participate in a 'one to one' tape-recorded interview with the researcher. This may last between 1 and 3 hours but does not have to be completed in one interview. Interviews will be conducted at a safe, convenient and suitable location. You will be asked to talk about your experiences of being a police officer, your perceptions of the relationship between the police and the public and the nature of the difficulties you experienced from policing a diverse community.

Are there any possible disadvantages and risk of taking part?

There are no perceived disadvantages or risks to your professional status, wellbeing or reputation by participating in the study. The researcher will keep all information and responses to questions confidential. You will not be asked to provide confidential information or be required to have access to private or confidential information. However, if you disclose anything that puts you or anyone else's safety at risk, it would be necessary to contact the appropriate authorities about it. Otherwise, the researcher will be the only person to have direct access to the information you provide.

Benefits of taking part?

There will be no personal benefits to your participation in this study, except that the information you provide can contribute to a greater understanding of the evolution of policing in the context of effective procedural justice interactions between the police and the public and the virtues of good policing.

What will happen after my involvement in the research study?

The researcher will analyse the data gathered in the interviews and based upon the findings, write a PhD thesis and submit it to a board of examiners. The researcher may also write about what has been discovered in peer reviewed academic journals or published books, or present at conferences or seminars. In each of these cases your views will remain anonymous, as all identifiable materials will have been sanitized to ensure your confidentiality. A Non-disclosure agreement will be in place if the researcher utilises a third party to transcribe the audio data gained from your participation. Generally, all data will be stored securely at UCS and destroyed once the final report is approved. However, if you are willing to allow your sanitized data to be shared for continued use in academic research, please indicate below.

………………………………………………………………………………………………
……………………………

Please read the following statement.

I have been provided with a participant information sheet for this research project and I agree to take part in the study. I understand that participation in this research is voluntary. I am aware that I am free to withdraw my participation at any point without having to give a reason for doing so. In the event I wish to

withdraw from the study, I should contact the researcher at University Campus Suffolk by email: S151115@ucs.ac.uk at the earliest opportunity. I also agree to the interview being audio recorded Yes/No. I agree to my sanitized data being shared and used for academic research as long as I remain anonymous Yes/No.

If you would like to participate please sign below.

Participant Name: …………………………………………………………..

Signature: …………………………………………………..

Date: …………………………………………………………..

Researcher Name: …………………………………………………………..

Signature: …………………………………………………..

Date: …………………………………………………………..